

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	<b>: CRIMINAL NO. 14-</b>
	<b>: DATE FILED: January 30, 2014</b>
<b>v.</b>	<b>: VIOLATIONS:</b>
<b>JUCONTEE THOMAS WOEWIYU, a/k/a "Juontee Thomas Smith"</b>	<b>: 18 U.S.C. § 1425 (fraudulently attempting to obtain citizenship - 2 counts)</b>
	<b>: 18 U.S.C. § 1546(a) (fraud in immigration documents - 4 counts)</b>
	<b>: 18 U.S.C. § 1015(a) (false statements in relation to naturalization - 3 counts)</b>
	<b>: 18 U.S.C. § 1621 (perjury - 7 counts)</b>

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

At all times material to this indictment:

1. In 1822, freed American slaves settled on the western coast of Africa in the area that now encompasses Liberia, which became an independent republic in 1847. Liberia's political landscape was dominated by the descendants of these settlers (known as "Americo-Liberians") although Americo-Liberians comprised only approximately five percent of Liberia's population. Although never colonized by a foreign power, the Americo-Liberian settlers administrated a colonial style system of government that denied full civic rights to some of the indigenous tribal groups and relied on coercive force to maintain power. The historical marginalization of indigenous tribal groups and the violence inflicted on native Liberians created a deeply divided society and set the stage for the conflict that erupted in the latter decades of the twentieth century.

2. On April 12, 1980, a small group of Liberian soldiers seized power, killing President William Tolbert and other government officials of the Americo-Liberian elite and taking control of the Executive Mansion in Monrovia, Liberia's capital. The group was led by Master Sergeant Samuel K. Doe. Doe, a member of the Krahn tribe, was Liberia's *de facto* ruler through 1985. In 1985 Doe was elected president of Liberia. Doe's government was recognized by the international community, including the United States.

3. Doe was an authoritarian ruler, first as Liberia's *de facto* leader and later as Liberia's President. He banned political activities and used the military to suppress dissent. He cultivated patronage systems that benefitted his fellow Krahn and elevated members of the Mandingo tribe, previously considered outsiders in Liberia, to favored economic and political status. At the same time, Doe sidelined former allies, in particular members of the Gio and Mano tribes who helped to bring him to power, largely if not completely excluding them from political society.

4. The Doe administration's corruption, repressive rule and favoritism fueled resentment among many in Liberia. Consequently, in 1985, one of Doe's former brigadier generals returned to Liberia from exile and rallied Gio and Mano supporters from Liberia's army to take over the government by force. After the coup failed, Liberia soldiers loyal to Doe executed hundreds of Gio and Mano soldiers and carried out reprisal attacks that killed hundreds, if not thousands of Gio and Mano civilians.

5. The Doe administration's misconduct also engendered opposition from the expatriate Liberian community. While residing in the United States, defendant JUCONTEE THOMAS WOEWIYU formed the Association for Constitutional Democracy in Liberia ("ACDL"), an organization that advocated against the Doe regime. Defendant WOEWIYU also,

along with its leader Charles Taylor and others, founded the National Patriotic Front of Liberia ("NPFL"), a military organization committed to the violent overthrow of the Doe government. The ACDL supported the NPFL and raised funds for the group.

6. In the late 1980s defendant WOEWIYU met with Taylor and others in the Ivory Coast to assess an NPFL military plan of action and to identify bases for NPFL military training. NPFL rebels received support from the governments of Burkina Faso and Sierra Leone, and Libyan ruler Muammar Kaddafi supplied the NPFL with both arms and specialized training at bases in Libya.

7. Defendant WOEWIYU served as the NPFL spokesman, and worked to justify the NPFL's mission and objectives to high-ranking foreign officials, including United States Department of State officials. WOEWIYU also was appointed by Taylor to serve as the NPFL Minister of Defense beginning in 1990. WOEWIYU held these positions through 1994. On December 24, 1989, NPFL forces attacked Liberia through the Ivory Coast and initiated an offensive aimed at overthrowing Doe. By April 1990, the NPFL controlled approximately 90% of Liberia outside of Monrovia.

8. In July 1990, a number of Taylor's NPFL fighters defected and joined a splinter faction called the Independent National Patriotic front of Liberia ("INPFL"). The INPFL was led by Prince Yormie Johnson, a former NPFL military training officer. In September 1990, Doe was captured by INPFL forces, who tortured and executed him.

9. Despite Doe's demise, the NPFL persisted with a brutal campaign for control of the country, fighting against other rebel factions as well as groups loyal to the former Doe government.

10. On October 15, 1992, NPFL forces attacked Monrovia in what became known as Operation Octopus. Over the ensuing days, NPFL forces engaged in a pitched battle against, among others, peacekeeping forces from the Economic Community of West African States monitoring group ("ECOMOG") and remnants of Doe's army. The attack left scores of civilian dead, victims of the NPFL. The attack resulted in the destruction of the city, and created a humanitarian disaster.

11. During defendant WOEWIYU's tenure as NPFL Minister of Defense, the NPFL conducted a particularly heinous and brutal military campaign. It was characterized by the torture of perceived adversaries, the execution of civilians, the killing of ECOMOG peacekeepers, the forced sexual slavery and rape of girls and women, the conscription of child soldiers, and the murder of humanitarian aid workers. In particular, the NPFL targeted civilians of the Krahn and Mandingo tribes, whom the NPFL perceived were loyal to the former Doe government.

12. In 1994, defendant WOEWIYU broke with the NPFL and along with two other dissident NPFL leaders, formed the splinter National Patriotic Front of Liberia Central Revolutionary Council ("NPFL-CRC"), recruiting several hundred NPFL fighters to their side. The NPFL-CRC, alongside ECOMOG peacekeepers and other factions, fought against Taylor until mid-1995. Defendant WOEWIYU reunited with Taylor after Taylor was elected President in 1997, serving as his Minister of Labor from 1997 to 1999.

13. Since approximately January 13, 1972, defendant WOEWIYU has had Legal Permanent Resident status in the United States.

14. On or about January 23, 2006, defendant WOEWIYU made application for United States citizenship by submitting an Immigration and Naturalization Service ("INS") Form N-400.

15. Application for United States citizenship is a multiple step process. At least two of these steps relate directly to the Form N-400. Firstly, the applicant seeking citizenship submits a Form N-400. The Form N-400 provides that the applicant answer a series of background questions. At the end of the Form N-400 the applicant signs the document in which he certifies under penalty of perjury that its contents are all true and correct. Secondly, the applicant has an in person interview with an Immigration Services Officer. This interview is conducted under oath and the officer reviews with the applicant the applicant's answers to the questions posed and information sought by the N-400. At the conclusion of the interview the applicant certifies under penalty of perjury that the contents of the N-400, including any corrections made during the interview, are true and correct to the best of the applicant's knowledge.

16. When submitting his Form N-400 defendant WOEWIYU certified "under penalty of perjury under the laws of the United States of America" that his "application, and the evidence submitted with it, [were] true and correct."

17. On January 30, 2009, defendant WOEWIYU was interviewed under oath by an Immigration Services Officer. During this interview the officer reviewed with WOEWIYU the answers given and information provided by WOEWIYU in the Form N-400 that WOEWIYU had submitted. At the conclusion of the interview WOEWIYU signed a certification in which he swore and certified "under penalty of perjury under the laws of the United States of America" that he knew that that the contents of his "application for naturalization... including

corrections... and the evidence submitted by [him]... [were] true and correct to the best of [his] knowledge and belief." WOEWIYU's certification encompassed , among other things, the following entries that he made or caused to be made on his Form N-400, which entries contained false, misleading and fraudulent information as follows.

a. Question 8a asked "Have you **EVER** been a member of or associated with any organization, association, fund, foundation, party, club, society, or similar group in the United States or in any other place?" Subpart b states: "If you answered 'Yes' list the names of each group below. If you need more space, attach the names of the other group (s) on a separate sheet of paper." Initially defendant WOEWIYU verbally stated that he was not a member of or associated with any organization, association, fund, foundation, party, club, society, or similar group in the United States or in any other place. After repeated prompting, WOEWIYU responded to Question 8a and subpart b by verbally causing the listing of only the Union of Liberia Associations in the United States. He did not disclose his membership in, and association with, all organizations, including but not limited to, the NPFL and the NPFL-CRC.

b. Question 10 asked "Have you **EVER** advocated (*either directly or indirectly*) the overthrow of any government by force or violence?" Defendant WOEWIYU had responded to this question by placing an "X" in the box marked "No." Additionally, WOEWIYU confirmed his initial response to this question by verbally stating "no." WOEWIYU did not disclose that he had advocated the overthrow of the Doe Liberian government by force or violence.

c. Question 11 asked "Have you **EVER** persecuted (*either directly or indirectly*) any person because of race, religion, national origin, membership in a particular social group, or political opinion?" Defendant WOEWIYU had responded to this question by placing an "X" in the box marked "No." WOEWIYU verbally confirmed this response. WOEWIYU did not

disclose that while he was a member of, among other organizations, the NPFL, he persecuted others because of their political opinions, and membership in a particular social group, including the Krahn and Mandingo tribes.

d. Question 18 asked "Have you **EVER** been convicted of a crime or offense?"

The section below question 18 states: "If you answered 'Yes' to any of the questions 15 through 21, complete the following table. If you need more space, use a separate sheet of paper to give the same information." Defendant WOEWIYU had responded to question 18 by placing an "X" in the box marked "No." However, he listed in the table provided that he had pled guilty to a 1982 New York State misdemeanor receiving stolen property charge. WOEWIYU verbally confirmed this response. WOEWIYU did not disclose his 1970 New York State conviction for falsification of business records.

18. From on or about January 23, 2006 through on or about January 30, 2009, in the Eastern District of Pennsylvania and elsewhere, defendant

**JUCONTEE THOMAS WOEWIYU,  
a/k/a "Juontee Thomas Smith"**

knowingly attempted to procure and obtain, contrary to law, naturalization as a United States citizen for himself, by knowingly providing false and fraudulent information as to material fact, and by omitting material fact, in his Application for Naturalization, Form N-400.

In violation of Title 18, United States Code, Section 1425 (a).

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraphs 1 through 17 of Count One of this indictment are incorporated here.
2. From on or about January 23, 2006 through on or about January 30, 2009, in the Eastern District of Pennsylvania and elsewhere, defendant

**JUCONTEE THOMAS WOEWIYU,  
a/k/a "Jucontee Thomas Smith"**

knowingly attempted to procure and obtain naturalization as a United States citizen for himself, to which he was not entitled, in that: at the time of his application for naturalization, defendant WOEWIYU did not satisfy the requirements for naturalization, under Title 8, United States Code, Section 1427, in that he was not a person of "good moral character," in that WOEWIYU falsely certified under penalty of perjury to the truth of various assertions, and provided false testimony under oath, for the purpose of obtaining United States citizenship; that is,

- a. defendant did not disclose his membership in, and association with, all organizations, including but not limited to the NPFL;
- b. defendant did not disclose that he both directly and indirectly advocated the overthrow of the Doe Liberian government by force or violence; and
- c. defendant did not disclose that while he was a member, of among other organizations, the NPFL, he persecuted either directly or indirectly others because of their political opinions and and membership in a particular social group, including members of the Krahn and Mandingo tribes.

In violation of Title 18, United States Code, Section 1425 (b).

**COUNT THREE**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraphs 1 through 17 of Count One of this indictment are incorporated here.
2. On or about January 30, 2009, in the Eastern District of Pennsylvania, defendant

**JUCONTEE THOMAS WOEWIYU,  
a/k/a “Jucontee Thomas Smith”**

knowingly made under oath, and knowingly certified as true under penalty of perjury, a false statement with respect to a material fact in an application and document required by the immigration laws and regulations prescribed thereunder, that is, a Form N-400, Application for Naturalization, by which the defendant applied to become a United States citizen, in that, as the defendant then and there well knew, his response to question 8a and subpart b on his Form N-400, Application for Naturalization, was false, in that, the defendant did not to disclose his membership in, and association with, all organizations, including but not limited to the NPFL and the NPFL-CRC.

In violation of Title 18, United States Code, Section 1546 (a).

**COUNT FOUR**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraphs 1 through 17 of Count One of this indictment are incorporated here.
2. On or about January 30, 2009, in the Eastern District of Pennsylvania, defendant

**JUCONTEE THOMAS WOEWIYU,  
a/k/a “Jucontee Thomas Smith”**

knowingly made under oath, and knowingly certified as true under penalty of perjury, a false statement with respect to a material fact in an application and document required by the immigration laws and regulations prescribed thereunder, that is, a Form N-400, Application for Naturalization, by which the defendant applied to become a United States citizen in that, as the defendant then and there well knew, his response to question 10 on his Form N-400, Application for Naturalization, was false, in that, the defendant did not disclose that he both directly and indirectly advocated the overthrow of the Doe Liberian government by force or violence.

In violation of Title 18, United States Code, Section 1546 (a).

**COUNT FIVE**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraphs 1 through 17 of Count One of this indictment are incorporated here.
2. On or about January 30, 2009, in the Eastern District of Pennsylvania, defendant

**JUCONTEE THOMAS WOEWIYU,  
a/k/a “Jucontee Thomas Smith”**

knowingly made under oath, and knowingly subscribed as true under penalty of perjury, a false statement with respect to a material fact in an application and document required by the immigration laws and regulations prescribed thereunder, that is, a Form N-400, Application for Naturalization, by which the defendant applied to become a United States citizen in that, as the defendant then and there well knew, his response to question 11 on his Form N-400, Application for Naturalization, was false, in that the defendant did not disclose that while he was a member of, among other organizations, the NPFL, he persecuted others because of their political opinions, and membership in a particular social group, including members of the Krahn and Mandingo tribes.

In violation of Title 18, United States Code, Section 1546 (a).

**COUNT SIX**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraphs 1 through 17 of Count One of this indictment are incorporated here.
2. On or about January 30, 2009, in the Eastern District of Pennsylvania, defendant

**JUCONTEE THOMAS WOEWIYU,  
a/k/a “Jucontee Thomas Smith”**

knowingly made under oath, and knowingly subscribed as true under penalty of perjury, a false statement with respect to a material fact in an application and document required by the immigration laws and regulations prescribed thereunder, that is, a Form N-400, Application for Naturalization, by which the defendant applied to become a United States citizen in that, as the defendant then and there well knew, his response to question 18 on his Form N-400, Application for Naturalization, was false, in that the defendant did not disclose his 1970 New York State conviction for falsification of business records.

In violation of Title 18, United States Code, Section 1546 (a).

**COUNT SEVEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraphs 1 through 17 of Count One of this indictment are incorporated here.
2. On or about January 30, 2009, in the Eastern District of Pennsylvania, and

elsewhere, defendant

**JUCONTEE THOMAS WOEWIYU,  
a/k/a “Jucontee Thomas Smith”**

knowingly made a false statement under oath in a proceeding, and matter relating to naturalization, citizenship, and registry of aliens, that is in his Form N-400, Application for Naturalization, and in the related interview, in that, as defendant WOEWIYU then and there well knew, his statement in response to question 8a and subpart b on his Form N-400, Application for Naturalization, was false, in that he did not disclose his membership in, and association with, all organizations, including but not limited to the NPFL and the NPFL-CRC.

In violation of Title 18, United States Code, Section 1015(a).

**COUNT EIGHT**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraphs 1 through 17 of Count One of this indictment are incorporated here.
2. On or about January 30, 2009, in the Eastern District of Pennsylvania, and

elsewhere, defendant

**JUCONTEE THOMAS WOEWIYU,  
a/k/a “Jucontee Thomas Smith”**

knowingly made a false statement under oath in a proceeding, and matter relating to naturalization, citizenship, and registry of aliens, that is in his Form N-400, Application for Naturalization, and in the related interview, in that, as the defendant then and there well knew, his statements in response to question 10 on his Form N-400, Application for Naturalization, was false, in that, the defendant did not disclose that he both directly and indirectly advocated the overthrow of the Doe Liberian government by force or violence.

In violation of Title 18, United States Code, Section 1015(a).

**COUNT NINE**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraphs 1 through 17 of Count One of this indictment are incorporated here.

2. On or about January 30, 2009, in the Eastern District of Pennsylvania, and elsewhere, defendant

**JUCONTEE THOMAS WOEWIYU,  
a/k/a “Jucontee Thomas Smith”**

knowingly made a false statement under oath in a proceeding, and matter relating to naturalization, citizenship, and registry of aliens, that is in his Form N-400, Application for Naturalization, and in the related interview, in that, as defendant then and there well knew, his statement in response to question 11 on his Form N-400, Application for Naturalization, was false, in that the defendant did not disclose that while he was a member of, among other organizations, the NPFL, he persecuted others because of their political opinions, and membership in a particular social group, including members of the Krahn and Mandingo tribes.

In violation of Title 18, United States Code, Section 1015(a).

**COUNT TEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraphs 1 through 17 of Count One of this indictment are incorporated here.
2. On or about January 30, 2009, in the Eastern District of Pennsylvania, and

elsewhere, defendant

**JUCONTEE THOMAS WOEWIYU,  
a/k/a “Jucontee Thomas Smith”**

having taken an oath before a competent tribunal, officer and person, in a case in which a law of the United States authorizes an oath to be administered, that he would testify declare, depose and certify truly, did willfully and contrary to such oath falsely state before an immigration officer with regard to his Form N-400, Application of Naturalization, a material matter, that is, that his response to question 8a and subpart b on his Form N-400, Application for Naturalization, was true, when as the defendant then and there well knew and believed, his response was false, in that the defendant knew at the time he made the statement that he did not disclose his membership in, and association with, all organizations, other than the Union of Liberia Associations in the United States, including, but not limited to, the NPFL and the NPFL-CRC.

In violation of Title 18, United States Code, Section 1621(1).

**COUNT ELEVEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraphs 1 through 17 of Count One of this indictment are incorporated here.
2. On or about January 30, 2009, in the Eastern District of Pennsylvania, and elsewhere, defendant

**JUCONTEE THOMAS WOEWIYU,  
a/k/a “Jucontee Thomas Smith”**

in a declaration, certificate, verification, or statement under penalty of perjury as permitted under Title 28, United States Code, Section 1746, willfully certified as true in his Form N-400 Application for Naturalization, a material matter which he did not believe to be true in that, as the defendant then and there well knew and believed, his response to question 8a and subpart b on his Form N-400, Application for Naturalization, was false, in that the defendant knew at the time he made the statement that he did not disclose his membership in, and association with, all organizations, other than the Union of Liberia Associations in the United States, including, but not limited to, the NPFL and the NPFL-CRC.

In violation of Title 18, United States Code, Section 1621(2).

**COUNT TWELVE**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraphs 1 through 17 of Count One of this indictment are incorporated here.
2. On or about January 30, 2009, in the Eastern District of Pennsylvania, and

elsewhere, defendant

**JUCONTEE THOMAS WOEWIYU,  
a/k/a “Jucontee Thomas Smith”**

having taken an oath before a competent tribunal, officer and person, in a case in which a law of the United States authorizes an oath to be administered, that he would testify declare, depose and certify truly, did willfully and contrary to such oath falsely state before an immigration officer with regard to his Form N-400, Application for Naturalization, a material matter, that is that his response to question 10 on his Form N-400, Application for Naturalization, was true, when, as the defendant then and there well knew and believed, his response was false, in that the defendant knew at the time he made the statement that he had advocated the overthrow of the Doe Liberia government by force and violence.

In violation of Title 18, United States Code, Section 1621(1).

**COUNT THIRTEEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraphs 1 through 17 of Count One of this indictment are incorporated here.
2. On or about January 30, 2009, in the Eastern District of Pennsylvania, and

elsewhere, defendant

**JUCONTEE THOMAS WOEWIYU,  
a/k/a “Jucontee Thomas Smith”**

in a declaration, certificate, verification, or statement under penalty of perjury as permitted under Title 28, United States Code, Section 1746, willfully certified as true in his Form N-400, Application for Naturalization, a material matter that he did not believe to be true in that, as the defendant then and there well knew and believed, his response to question 10 on his Form N-400, Application for Naturalization was false, in that the defendant knew at the time he made the statement that he had advocated the overthrow of the Doe Liberia government by force and violence.

In violation of Title 18, United States Code, Section 1621(2).

**COUNT FOURTEEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraphs 1 through 17 of Count One of this indictment are incorporated here.
2. On or about January 30, 2009, in the Eastern District of Pennsylvania, and

elsewhere, defendant

**JUCONTEE THOMAS WOEWIYU,  
a/k/a “Jucontee Thomas Smith”**

having taken an oath before a competent tribunal, officer and person, in a case in which a law of the United States authorizes an oath to be administered, that he would testify declare, depose and certify truly, did willfully and contrary to such oath falsely state before an immigration officer with regard to his Form N-400, Application for Naturalization, a material matter, that is, that his response to question 11 on his Form N-400, Application for Naturalization, was true, when, as the defendant then and there well knew and believed, his response was false, in that the defendant knew at the time he made the statement that he did not disclose that while he was a member of, among other organizations, the NPFL, he persecuted others because of their political opinions, and membership in a particular social group, including members of the Krahn and Mandingo tribes.

In violation of Title 18, United States Code, Section 1621(1).

**COUNT FIFTEEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraphs 1 through 17 of Count One of this indictment are incorporated here.

2. On or about January 30, 2009, in the Eastern District of Pennsylvania, and

elsewhere, defendant

**JUCONTEE THOMAS WOEWIYU,  
a/k/a “Jucontee Thomas Smith”**

in a declaration, certificate, verification, or statement under penalty of perjury as permitted under Title 28, United States Code, Section 1746, willfully certified as true in his Form N-400, Application for Naturalization, a material matter that he did not believe to be true, in that, as the defendant then and there well knew and believed, his response to question 11 on his Form N-400, Application for Naturalization, was false, in that the defendant knew at the time he made the statement that he did not disclose that while he was a member of, among other organizations, the NPFL, he persecuted others because of their political opinions, and membership in a particular social group, including members of the Krahn and Mandingo tribes.

In violation of Title 18, United States Code, Section 1621(2).

**COUNT SIXTEEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraphs 1 through 17 of Count One of this indictment are incorporated here.
2. On or about January 30, 2009, in the Eastern District of Pennsylvania, and

elsewhere, defendant

**JUCONTEE THOMAS WOEWIYU,  
a/k/a "Jucontee Thomas Smith"**

in a declaration, certificate, verification, or statement under penalty of perjury as permitted under Title 28, United States Code, Section 1746, willfully certified as true in his Form N-400, Application for Naturalization, a material matter that he did not believe to be true, in that, as the defendant then and there well knew and believed, his response to question 18 on his Form N-400, Application for Naturalization, was false, in that the defendant knew at the time he made the statement that he did not disclose his 1970 New York State conviction for falsification of business records.

In violation of Title 18, United States Code, Section 1621(2).

**A TRUE BILL:**

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**FOREPERSON**



**ZANE DAVID MEMEGER**  
United States Attorney

**First Assistant U.S. Attorney**