



U.S. Immigration
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Enforcement

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News Release

HIV POSITIVE CHILD PREDATOR, PORNOGRAPHER GETS 100 YEAR SENTENCE

MIAMI— A child sex predator received a 100-year prison sentence after being convicted on multiple child pornography charges that stemmed from a joint investigation by the U.S. Postal Inspection Service and U.S. Immigration and Customs Enforcement (ICE).

U.S. District Court Judge Cecilia M. Altonaga handed down the sentence here to Angel Rafael Mariscal for his sexual abuse of children for the purpose of producing and distributing child pornography.

The sentence was announced by Marcos Daniel Jiménez, United States Attorney for the Southern District of Florida; Special Agent-in-Charge Jesus Torres of U.S. Immigration and Customs Enforcement's Miami office; Christopher A. Wray, Assistant Attorney General, Criminal Division, U.S. Department of Justice; James K. Belz, Inspector in Charge, U.S. Postal Inspection Service; Lt. Kevin Butler, head of the Law Enforcement Against Child Harm (LEACH) Task Force; and Frances Taylor, Assistant Secretary of State for Diplomatic Security.

The defendant was convicted on all counts in a two-day trial that began April 12. Those counts were conspiracy to produce child pornography, in violation of 18 U.S.C. § 2251(d); importation of child pornography into the United States, in violation of 18 U.S.C. § 2260; distribution of child pornography, in violation of 18 U.S.C. § 2251(c)(1)(A); advertising child pornography, in violation of 18 U.S.C. § 2252A(a)(1); and possession with intent to sell child pornography, in violation of 18 U.S.C. § 2252A(a)(4)(B).

At trial, the government presented evidence that the defendant traveled repeatedly to Ecuador and Cuba, where he produced and manufactured child pornography. The defendant videotaped himself sexually abusing minors, some under the age of 12 for at least seven years. More than 100 victims

were filmed exposing their genitals and/or engaging in sexual activity with the defendant and at least two adult female co-conspirators.

With the assistance of the Diplomatic Security Service of the Department of State and the United States Interest Section in Havana, the government was able to identify and obtain birth certificates from Cuban officials for some of the victims depicted in the videotapes. Co-conspirators were arrested in both Cuba and Ecuador.

At today's sentencing hearing, additional evidence was presented revealing that the defendant had engaged in unprotected sexual conduct with children knowing he was HIV positive. The defendant was diagnosed with HIV in 1994, and the government presented images of the defendant's sexual abuse of minors thereafter. The evidence presented at sentencing was that the defendant engaged in the sexual abuse of children ranging in age from approximately nine to 18 years old without ever using a condom. While none of the victims have tested HIV positive, the government argued that the defendant's heinous conduct of exposing these minors to HIV warranted an increased sentence.

The defendant videotaped the children using a camcorder, imported the camcorder tapes, and reproduced them onto CD-ROMs or VHS tapes in Miami. The defendant distributed the CD-ROMs and VHS tapes throughout the United States by mail or Federal Express. He would advertise these items by mail. In 2002, the child pornography sold for anywhere from \$595 to \$995 per item. Customers also were given the option of writing their own fantasy script. At trial, evidence was presented that at least 40 buyers were identified. A former firefighter, who was convicted in the Northern District of Florida for receiving child pornography, testified that he had purchased over \$13,000 in child pornography from the defendant's operation in one three-month period.

During September 2002, the defendant was running his operation out of a hotel room in Miami Beach. Thousands of images of child pornography contained on videotapes, CD-ROMs, and computer media were seized from the defendant's hotel room on Sept. 13, 2002, the date of the defendants' arrest. Five months earlier, on April 19, 2002, a Postal Inspector in Michigan executed a federal search warrant in a residence in search of child pornography. In the residence, law enforcement discovered an envelope containing child pornography and an order form for CD-ROMS, videotapes, and photo albums containing child pornography with an address of a private mail box in Miami. This information was forwarded to the Postal Inspection Service, Miami Division, and an investigation ensued, which ultimately led to the defendant's arrest.

"There is not enough justice to give this individual what he deserves for the horrible crimes that he committed," said Torres. "Thankfully, the law enforcement teams were able to stop this predator and bring him to justice."

"For years, the defendant inflicted despicable harm on young, innocent victims," said Jiménez. "I am grateful that Judge Altonaga agreed with our recommendation of a 100 year prison sentence. Predators of this type are now on notice that their horrible crimes will be severely punished. I am very proud of the work that the prosecutors and our law enforcement partners did in this case."

"Convicted child pornographer Angel Rafael Mariscal posed a deadly threat to children and to the community at large," said Wray. "While it's hard to imagine a sentence severe enough to serve justice for these despicable crimes, the 100-year prison sentence handed down today ensures that Mariscal will never again be able to sexually abuse innocent children."

"The seriousness of the offenses in this case cannot be overstated," said Del Alvarez, United States Postal Inspector. "This case is a tribute to the extraordinary efforts of various law enforcement agencies and reflects the success that law enforcement can have when working together."

Jiménez commended the investigative efforts of the United States Postal Inspection Service, Bureau of Immigration and Customs Enforcement, and Law Enforcement Against Child Harm (LEACH) Task Force. The case was prosecuted by Assistant United States Attorney Barbara Martinez Wright and Department of Justice Trial Attorney, Child Exploitation and Obscenity Section, David Szuchman.

ICE

U.S. Immigration and Customs Enforcement (ICE) is the largest investigative arm of the Department of Homeland Security (DHS). ICE seeks to prevent acts of terrorism by targeting the people, money and materials that support terror and criminal networks.