

## **Former Salvadoran military officer sentenced for perjury and concealing information from US government**

U.S. Immigration and Customs Enforcement (ICE) sent this bulletin at 08/27/2013 06:25 PM EDT

BOSTON – A Salvadoran man residing in Everett, Mass., who faces charges of crimes against humanity and state terror in Spain, was sentenced Tuesday for immigration fraud and perjury in connection with false statements he made on immigration forms in order to remain in the United States.

Inocente Orlando Montano, 71, was sentenced to 21 months in prison followed by one year of supervised release and a special assessment of \$600 by U.S. District Court Judge Douglas P. Woodlock. Montano previously agreed to be deported from the United States upon completion of his prison term. A judicial order of removal has been secured and he will be removed from the U.S. to El Salvador following his sentence. In September 2012, Montano pleaded guilty to three counts of immigration fraud and three counts of perjury.

The investigation was conducted by U.S. Immigration and Customs Enforcement's (ICE) Homeland Security Investigations (HSI) Boston with assistance from [ICE's Human Rights Violators and War Crimes Center](#).

“Today’s sentencing represents a significant step forward towards ensuring that Montano will be held accountable for the atrocities that took place under his military command during the Salvadoran Civil War, including unspeakable human rights abuses, the deaths of more than 75,000 people, and the displacement of one million more,” said Acting ICE Director John Sandweg. “Cases like this illustrate ICE’s commitment to ensuring the United States does not serve as a safe haven for war criminals and human rights violators who think they can escape justice for the crimes they’ve committed abroad.”

“Today’s sentence sends a strong message that those alleged to have engaged in human rights abuses overseas should not expect to hide in the United States,” said U.S. Attorney for the District of Massachusetts Carmen M. Ortiz. “We will continue to prosecute these cases fully to protect the integrity of our immigration system and to discourage those involved in wrongdoing in their home countries from seeking refuge here.”

The crimes stemmed from false statements Montano made to obtain Temporary Protective Status (TPS), a benefit available to foreign nationals, permitting them to remain in the United States if they are unable to safely return to their home country because of ongoing armed conflict, the temporary effects of an environmental disaster, or other extraordinary and temporary conditions. In 2002, Montano was present in the United States and on several occasions thereafter, applied for and obtained TPS. On his applications, Montano falsified the date on which he entered the country because he knew that if he stated the actual date, he would have been ineligible for TPS.

Montano, a citizen of El Salvador, served in the Salvadoran military for nearly 30 years, rising to the rank of colonel. From 1989 to 1992, the final years of a decade-long civil war, he served as

the vice minister for public security. After the civil war in 1993, the U.N. Truth Commission on El Salvador found that there was substantial evidence that Colonel Montano was part of the small core group of elite officers responsible for the 1989 murder of six Jesuit priests, their housekeeper, and the housekeeper's daughter. Those murders, commonly referred to as the Jesuit massacre, constitute one of the most notorious human rights crimes in El Salvador's history. The U.N. Truth Commission Report also named Colonel Montano as one of two top officials who covered up the military high command's role in the Jesuit massacre by pressuring lower-level soldiers not to mention orders from above in their testimony to the Salvadoran court officially charged with investigating the crime.

According to the government's memorandum, Colonel Montano left El Salvador at a time when events in El Salvador made it appear that high level military officers would be prosecuted for their alleged role in the Jesuit massacre. Prosecutors asserted that Colonel Montano traveled to the United States, at least in part, to distance himself from authorities in El Salvador that could prosecute him for his alleged role in the massacre.

HSI is committed to rooting out alleged human rights violators who seek a safe haven in the United States. [ICE's Human Rights Violators and War Crimes Center](#) (HRVWCC) investigates human rights violators who try to evade justice by seeking shelter in the United States, including those who have participated in war crimes and acts of genocide, torture, the use of child soldiers and extrajudicial killings. These individuals may conceal their past to enter the country and attempt to blend into communities in the United States. Members of the public who have information about foreign nationals suspected of engaging in human rights abuses or war crimes are urged to call the toll-free HSI tip line at 1-866-DHS-2-ICE or to complete its [online tip form](#). Both are staffed around the clock. To learn more about the assistance available to victims in these cases, the public should contact HSI's confidential victim-witness toll-free number at 1-866-872-4973. Tips may be provided anonymously.

Since fiscal year 2004, ICE has arrested more than 250 individuals for human rights-related violations under various criminal and/or immigration statutes. During that same period, ICE obtained deportation orders and physically removed more than 640 known or suspected human rights violators from the United States. Currently, HSI has approximately 140 active investigations and ICE is pursuing approximately 1,850 leads and removal cases involving suspected human rights violators from 97 different countries.

Over the last four years, ICE's HRVWCC has issued more than 20,000 lookouts for people from more than 111 countries and stopped approximately 124 human rights violators or war crime suspects from entering the United States.

The case was prosecuted by Assistant U.S. Attorney John A. Capin of the U.S. Attorney's Office District of Massachusetts Antiterrorism and National Security Unit.

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