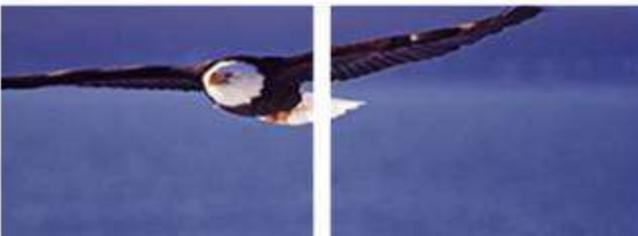
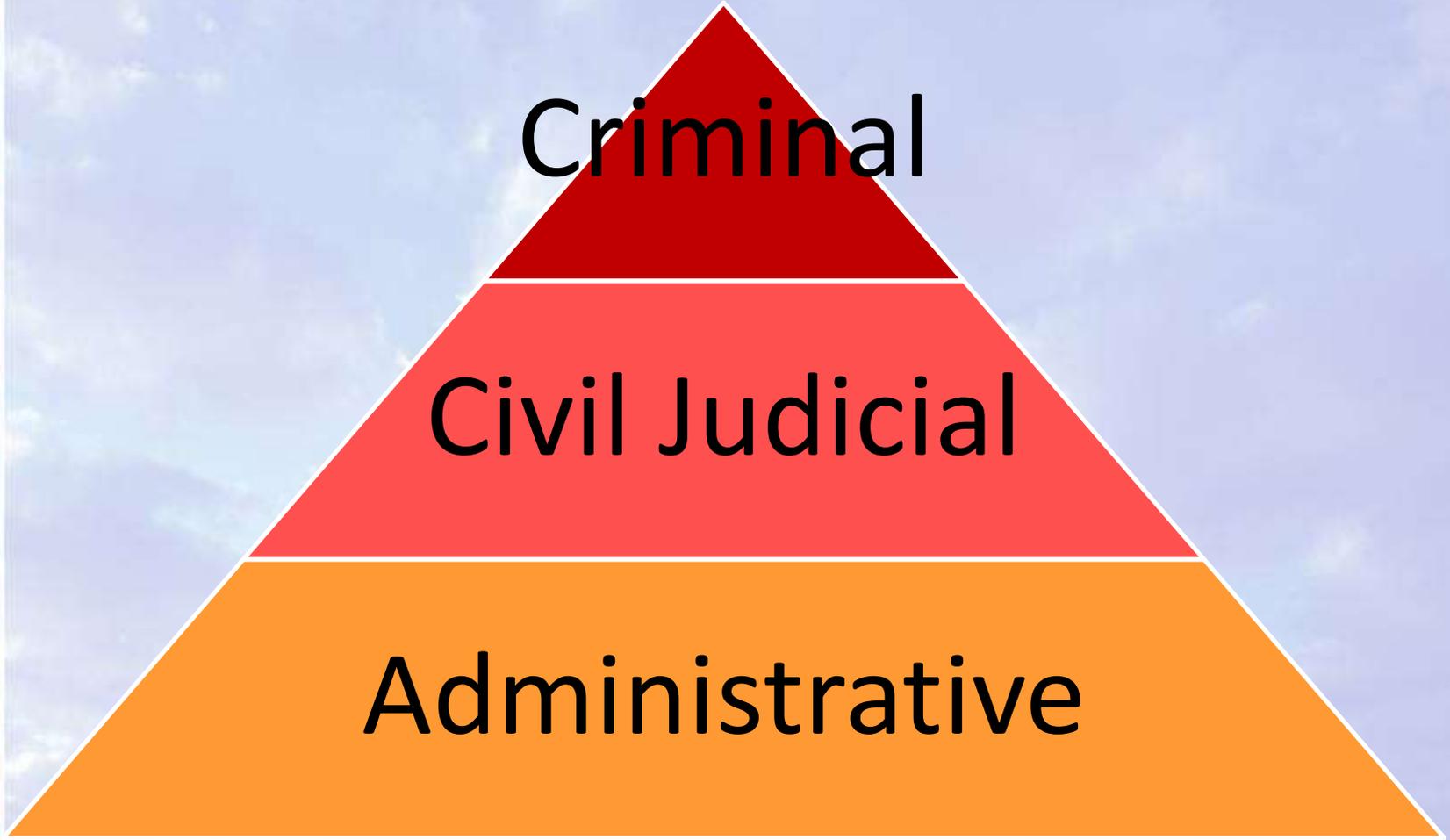




 **Case Tiering/Selection and Referring Matters for Criminal Investigation** 



Criminal enforcement should address the most egregious violations





Criminal Enforcement Case Selection Methodology

- In 2010, Criminal Enforcement Program developed a case selection methodology to ensure overall docket identifies, investigates, and helps prosecute the cases with most significant environmental, human health, and deterrence impact
- Cases are “tiered” based upon:
 - Release and discharge characteristics (e.g., hazardous or toxic pollutants, continuous violations)
 - Health and environmental impacts (e.g., death, serious injury, human exposure, remediation)
 - Subject characteristics (e.g., national corporation, recidivist violator)



I. Release and Discharge Characteristics

Pollutant Type	Non-Hazardous	Hazardous/Toxic
Frequency/Duration of Release	Single Event	Ongoing, Repetitive, Continuing, Multi Location



II. Impact Characteristics

Human Health	No Documented Exposure	Documented Exposure Evacuation of Community Public Utility Disruption	Death or Serious Bodily Injury
Environmental Impacts	No remediation No federal response	\$\$\$ Mitigation, Remediation or Restitution Emergency Response	



III. Target Characteristics

Size of Organization	# Employees \$ Sales	### Employees \$\$\$ Sales or Illegally Gotten Gains
Management Level	Rank and File or Lower Management	Upper Management
Compliance History	Permitted	Unpermitted, Prior Civil or Administrative Action or Prior Criminal Conviction



IV. Other Factors

E.g., Case of First Impression, broad reaching consequences, multi-jurisdictional, transnational, Title 18 Factors

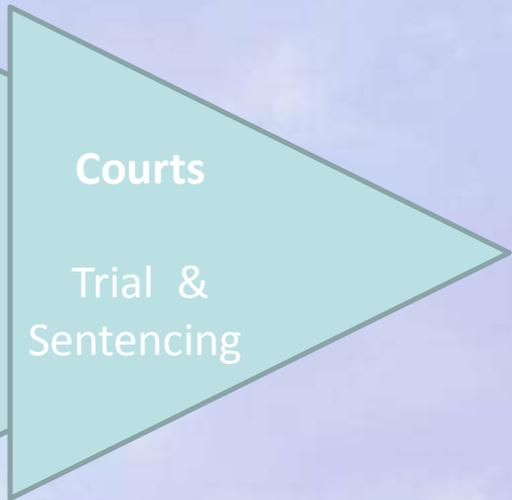




EPA
Investigation

**Coast
Guard**
Investigation

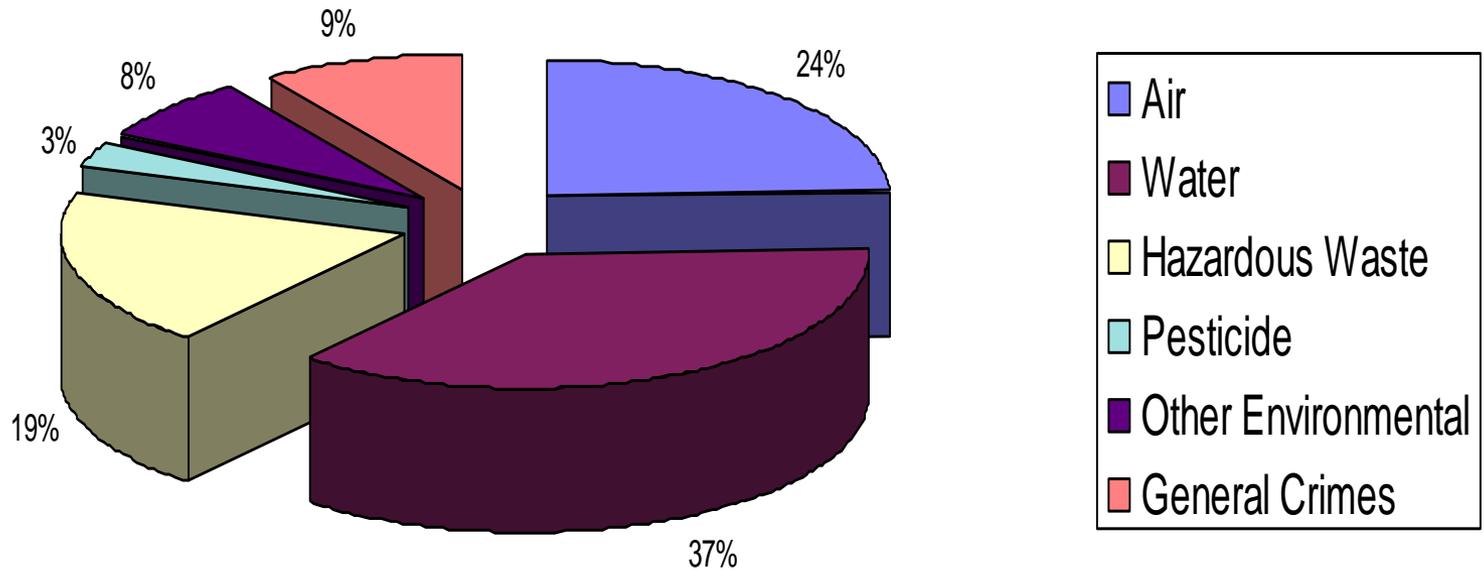
**Fish &
Wildlife**
Investigation



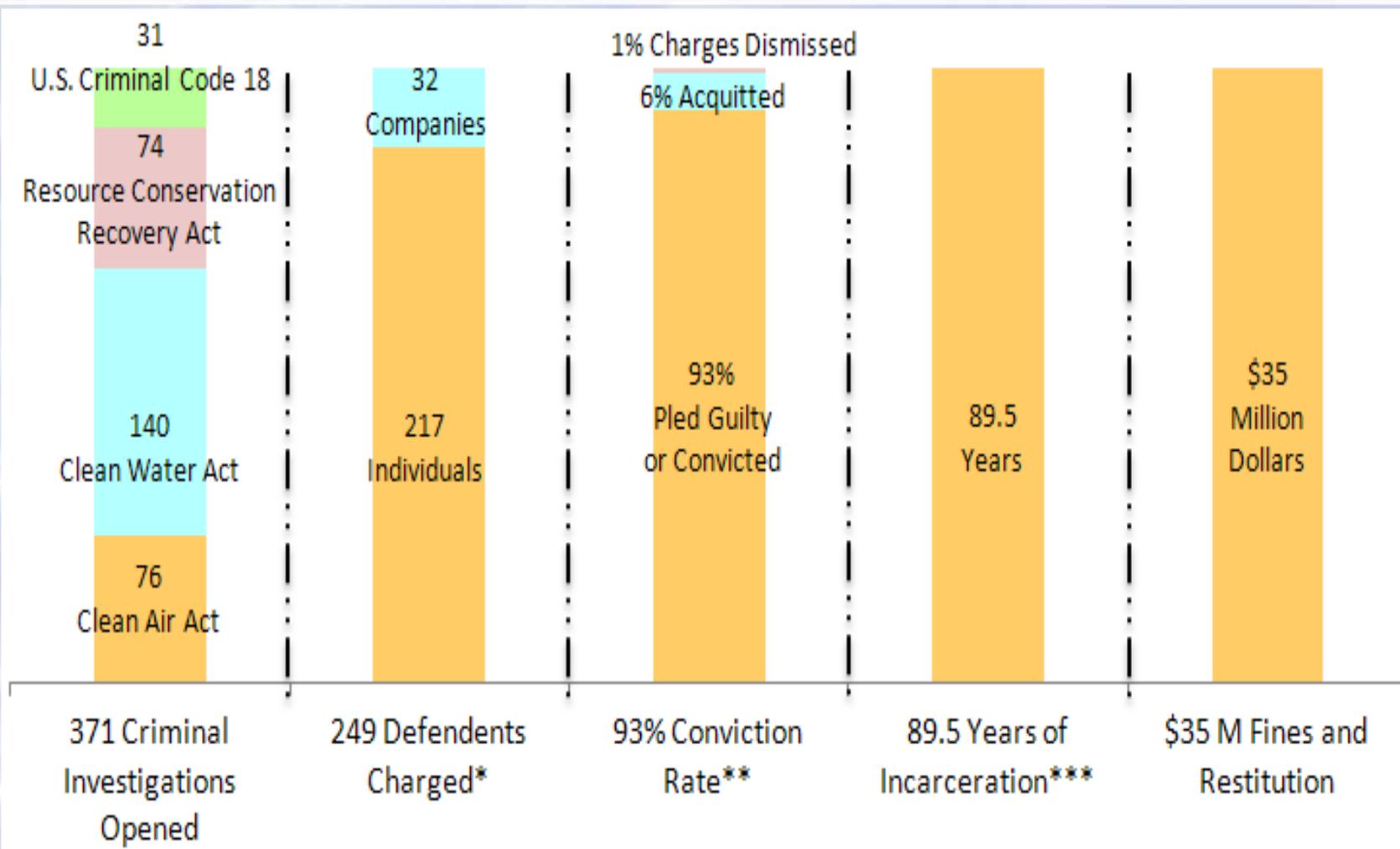
State/Commonwealth
Criminal Prosecution
or
Federal or
state/commonwealth civil
enforcement

National Criminal Investigative Portfolio

Distribution of Open Cases by Media



EPA Criminal Case Results – FY 2011



EPA Criminal Case Results – FY 2011

- EPA criminal investigations led to 249 charged criminal defendants in FY 11
- 87% of the charged cases included at least one individual defendant
- Criminal defendants sentenced received a collective 89.5 years in prison
- \$35 million in criminal fines & restitution
- \$2 million in court order environmental projects



Where do criminal cases come from?

- Tips and Complaints
- Internal referrals
- Referrals from state agencies
- Proactive Investigative Work

Criminal Enforcement Tools

The screenshot shows a Windows Internet Explorer browser window displaying the EPA Fugitives website. The address bar shows the URL <http://www.epa.gov/fugitives/>. The browser's search bar contains the word "Google". The website header features the EPA logo and the text "U.S. ENVIRONMENTAL PROTECTION AGENCY". The main navigation bar includes "Criminal Enforcement" and a "Share" button. Below this, there is a search bar with "All EPA" selected and "Compliance and Enforcement" chosen. A breadcrumb trail reads: "You are here: EPA Home » Compliance and Enforcement » Enforcement » Criminal Enforcement » EPA Fugitives". The main content area is titled "EPA Fugitives" and includes a circular logo for the "CRIMINAL INVESTIGATION DIVISION" of the U.S. Department of Justice. The text explains that defendants charged with environmental crimes sometimes flee jurisdiction. A sidebar on the left lists navigation options: "Compliance and Enforcement Home", "Enforcement Home", "Criminal Enforcement Home", "Basic Information", "Newsroom", "Investigations", "Intergovernmental Partnerships", and "Homeland Security". A mugshot of Larkin Baggett, dated September 20, 2007, is shown with a red "CAPTURED" stamp. A red warning at the bottom states: "Do not attempt to apprehend any of these individuals."

EPA Fugitives | Criminal Enforcement | US EPA - Windows Internet Explorer

<http://www.epa.gov/fugitives/>

U.S. ENVIRONMENTAL PROTECTION AGENCY

Criminal Enforcement

Share

Recent Additions | Contact Us Search: All EPA Compliance and Enforcement Go

You are here: [EPA Home](#) » [Compliance and Enforcement](#) » [Enforcement](#) » [Criminal Enforcement](#) » EPA Fugitives

EPA Fugitives



Defendants charged with environmental crimes or violations of the U.S. Federal Criminal Code sometimes flee the court's jurisdiction and/or the USA rather than face prosecution or to serve a sentence. When these circumstances occur, the defendants become fugitives from justice.

The following wanted posters identify fugitives sought by the EPA's Criminal Investigation Division. Each one provides a brief case summary and instructions on how to report information related to their identity and/or current location. You may also report the information to your local police or if you are outside the United States, to the nearest U.S. Embassy.

Learn more about:

- [Criminal Enforcement](#)
- [Criminal Prosecutions](#)



BAGGETT

Do not attempt to apprehend any of these individuals.

Compliance and Enforcement Home

Enforcement Home

Criminal Enforcement Home

Basic Information

Newsroom

Investigations

Intergovernmental Partnerships

Homeland Security



http://www.epa.gov/fugitives/

"web sites that post indictment"

File Edit View Favorites Tools Help



EPA Fugitives | Criminal E... X

Search Results: "indictment"

US EPA ECIC Administration Control ...



Current Fugitives

To read each fugitive profile, click the image or scroll down the page.

ALGHAZOULI	ALMHCHIE	BAPTISTE	BUSTAMONTE	CHAVEZ-BELTRAN	DELEON
DEMATTEO	A. GIORDANO	C. GIORDANO	KARAYANNIDES	LOKKEBRATEN	PLUMERS
PSOMADAKIS	SOLEMDAL	SORBOE	SZYPULSKI	VALENZUELA	WANG

Status of Former EPA Fugitives

To read about a former fugitive's status, click the image.

2010



FERON

2009



BAGGETT



WAINWRIGHT



SMITH



O'CONNOR

Current Fugitive Profiles

Criminal Case Pipeline



- Historically, approximately one-third of our cases result in prosecution
- Historically, 92 - 95% of prosecutions result in convictions



Compliance and Enforcement Annual Results 2010 Fiscal Year



Recent Additions | Contact Us Search: All EPA Compliance and Enforcement Go
You are here: EPA Home » Compliance and Enforcement » Data, Planning and Results » Results and Reports » Annual Results » Annual Results - FY2010 » Criminal: Overview

- Compliance and Enforcement Home
- Data, Planning and Results Home
- 2010 Annual Results Home
- Where You Live

Criminal Enforcement

Home	Clean Water	Clean Air	Waste & Chemical	Criminal	Environmental Justice
Overview	Map	Case Highlights			

EPA's criminal enforcement authorities provide EPA's strongest sanctions against polluters. Criminal penalties, with potential jail time as well as monetary fines, are critical to deter potential violators, eliminate the temptation for companies to "pay to pollute" and implement the felony provisions of our nation's environmental laws. From more than 40 locations nationwide, more than 200 EPA criminal investigators ("special agents") work closely with 150 scientists, attorneys, technicians, engineers and other specialists to uncover and develop cases for prosecution by Federal, state, tribal and local prosecutors. EPA's special agents have full law enforcement authority to carry firearms, make arrests, execute search warrants and investigate violations of all the environmental statutes as well as associated statutes of the U.S. Criminal Code (such as conspiracy or tax fraud). [Learn more about the Criminal Enforcement program.](#)

Criminal Enforcement Cases
Locate cases in your area

On this page:

- [Criminal Enforcement Results](#)
- [Activities and Accomplishments](#)

Questions?

Report an Environmental Violation

www.epa.gov/tips/

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