



Department of Justice

United States Attorney Kevin V. Ryan
Northern District of California

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CONTACT: LUKE MACAULAY
(415) 436-6757
Luke.Macaulay@usdoj.gov

SANTA CRUZ MAN PLEADS GUILTY TO SEXUALLY ABUSING A MINOR WHILE SERVING AS A PEACE CORPS VOLUNTEER IN COSTA RICA

First Prosecution of a Peace Corps Volunteer for Sexually Assaulting a Minor While Working with the Peace Corps Abroad

SAN JOSE - United States Attorney Kevin V. Ryan announced that Timothy Ronald Obert, 38, of Santa Cruz, California, pleaded guilty today to sexually abusing a minor in Costa Rica while serving there as a Peace Corps volunteer. This prosecution is the result of a two-year investigation by U.S. Immigration and Customs Enforcement, the Peace Corps Office of the Inspector General, and the Diplomatic Security Service of the United States Department of State.

In pleading guilty, Mr. Obert, a United States citizen, admitted that in or about September of 2001, he traveled from the United States to Costa Rica to work as a volunteer for the Peace Corps, where he was assigned to work with "PANI," the child welfare agency of Costa Rica, which sought to help underprivileged children. Mr. Obert admitted that on or about July 6, 2003, while he was in Costa Rica, and while he was serving as a Peace Corps volunteer there, he knowingly and intentionally engaged in illicit sexual conduct with a Costa Rican minor in the apartment in which he was residing. Mr. Obert admitted that at the time of the July 6, 2003 incident, he was 35 years old, and that the Costa Rican minor was 14 years old.

U.S. Attorney Kevin V. Ryan stated, "This defendant committed a serious sexual assault while serving as a Peace Corp volunteer in a program dedicated to helping the underprivileged. Because the PATRIOT Act expanded our jurisdiction to include U.S. missions abroad, this defendant could not evade justice."

The investigation began when a fellow Peace Corps volunteer of Mr. Obert's reported that when he was staying with Mr. Obert for the July 5-6, 2003, weekend, he observed a naked minor emerging from Mr. Obert's bedroom in the early morning hours of July 6, 2003. The incident was reported to the Associate Director of the Peace Corps in Costa Rica, who approached Mr. Obert about the matter, resulting in Mr. Obert's early termination from the Peace Corps.

“Some people mistakenly believe they can escape detection and prosecution by committing child sex crimes overseas,” said Charles DeMore, special agent-in-charge for ICE investigations in San Francisco. “This case shows the lengths to which ICE will go to use its powerful authorities to protect children worldwide.”

The two-year investigation by ICE and the Peace Corps Inspector General’s Office, with significant assistance of the State Department’s Diplomatic Security Service, included interviews of numerous witnesses in Costa Rica and elsewhere, including of the minor victim who reported that Mr. Obert had engaged in sexual activity with him on multiple occasions, and of Mr. Obert himself who admitted to having had sex with the Costa Rican minor.

“The Peace Corps has a zero tolerance policy for misconduct that violates the law or standards of conduct established by the Peace Corps,” said Peace Corps Director Gaddi H. Vasquez. “The prosecution of former Peace Corps volunteer Timothy Obert is evidence of this fact.”

This case is the first prosecution of a Peace Corps volunteer for sexually assaulting a minor while serving in the Peace Corps in a foreign country. In addition, this case is one of the first prosecutions making use of 18 U.S.C. § 7(9), a statute enacted under the PATRIOT Act, which expanded the special and maritime jurisdiction of the United States to encompass residences in foreign countries that were being used by U.S. personnel on U.S. missions. Mr. Obert admitted that the Peace Corp, which is an independent federal agency of the United States government, is a mission of the United States government. He also admitted that he was a personnel assigned to a United States mission during his stay in Costa Rica from in or about September of 2001 through on or about July 15, 2003, when he terminated early from the Peace Corps and returned to the United States.

The sentencing of Mr. Obert is scheduled for May 15, 2006, before Judge Whyte in San Jose. The maximum statutory penalty for sexually abusing a minor within the special and maritime jurisdiction of the United States, in violation of 18 U.S.C. § 2243(a), as charged in count two of the second superseding indictment, is 15 years, a \$250,000 fine, three years of supervised release, a \$100 special assessment, and registration as a sex offender under 18 U.S.C. § 4042(c). However, any sentence following conviction would be imposed by the court after consideration of the U.S. Sentencing Guidelines and the federal statute governing the imposition of a sentence, 18 U.S.C. § 3553.

Mr. Obert was indicted by a federal grand jury on June 23, 2004. The grand jury subsequently returned two superseding indictments. In the second superseding indictment, Mr. Obert was charged with two counts. Count one charged Mr. Obert with traveling in foreign commerce and engaging in any illicit sexual conduct with another person, in violation of 18 U.S.C. § 2423(c). Count two charged Mr. Obert with sexual abuse of a

minor within the special maritime and territorial jurisdiction of the United States, in violation of 18 U.S.C. § 2243(a) and 18 U.S.C. § 7(9)(B). Under the plea agreement, Mr. Obert pleaded guilty to count two.

Shawna Yen is the Assistant U.S. Attorney who is prosecuting the case with the assistance of Wendy Waldron, of the Child Exploitation and Obscenity Section of the Department of Justice, and Legal Technician Tracey Andersen.

Further Information:

Case #: Crim. No. 04-20107 RMW

A copy of this press release may be found on the U.S. Attorney's Office's website at www.usdoj.gov/usao/can.

Electronic court filings and further procedural and docket information are available at <https://ecf.cand.uscourts.gov/cgi-bin/login.pl>.

Judges' calendars with schedules for upcoming court hearings can be viewed on the court's website at www.cand.uscourts.gov.

All press inquiries to the U.S. Attorney's Office should be directed to Luke Macaulay at (415) 436-6757 or by email at Luke.Macaulay@usdoj.gov.

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