Office of the United States Attorney
District of Arizona

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Public Affairs
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CBP OFFICER CHARGED WITH UNLAWFUL ACCESS TO GOVERNMENT DATABASES

TUCSON, Ariz. - Nogales, Ariz.-based U.S. Customs and Border Protection Officer Natan Ben-Shabat, 42, of Tucson, made his initial appearance yesterday before U.S. Magistrate Judge Hector C. Estrada on charges of Unauthorized Access to a Government Computer. Ben-Shabat was released pending a December 1, 2009, trial date.

The three-count information alleges that while employed as a U.S. Customs and Border Protection Officer, Ben-Shabat abused his official access to the Consular Consolidated Database (CCD) and Treasury Enforcement Communications System (TECS) database to obtain personal information about a person he was suing in small claims court, and used the information to further his personal lawsuit. The information further alleges that Ben-Shabat induced other law enforcement officials, under the guise of official business, to access official records in the Arizona Criminal Justice Information System (ACJIS) database concerning the defendant in his personal lawsuit.

A conviction for Unauthorized Access to a Government Computer carries a maximum penalty of 12 months in federal prison, a $100,000 fine or both. In determining an actual sentence, U.S. District Judge Frank R. Zapata will consult the U.S. Sentencing Guidelines, which provide appropriate sentencing ranges. The judge, however, is not bound by those guidelines in determining a sentence.

A criminal information is simply the method by which a person is charged with criminal activity and raises no inference of guilt. An individual is presumed innocent until competent evidence is presented to a jury that establishes guilt beyond a reasonable doubt.

The investigation in this case was conducted by U.S. Customs and Border Protection Internal Affairs and the Department of Homeland Security Office of Inspector General, with assistance from the Pima County Sheriff's Department. The prosecution is being handled by Mary Sue Feldmeier, Assistant U.S. Attorney, District of Arizona, Tucson.

CASE NUMBER: CR 09-2180-TUC-FRZ (CRP)
RELEASE NUMBER: 2009-318(Ben-Shabat)

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