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## **LAPD officer acquitted on gun exporting charges**

Attorney in federal case cites confusion over complex technicalities in the law.

By Richard Winton

Los Angeles Times

September 5, 2010

A federal court jury last week acquitted a Los Angeles police officer of attempting to illegally export guns to Belize for a private security business he owned.

Federal prosecutors had alleged that LAPD Officer Johnny Augustus Baltazar illegally shipped a safe packed with firearms and ammunition to Belize in July 2007. The cache included eight .40-caliber handguns, two 9-millimeter handguns and more than 1,500 rounds of ammunition. Baltazar had bought most of the weapons at the LAPD police academy store for his Belize business, Elite Security.

Amanda Bettinelli, the assistant U.S. attorney on the case, could not be reached for comment.

At trial, Baltazar's lawyer, Humberto Diaz, a deputy federal public defender, discounted the charges against his client as technical violations of a complex series of regulations. He said Baltazar was a law-abiding officer looking to build a business for his retirement in Belize.

"There is so much confusion when comes to these requirements," Diaz said in an interview Friday. "Several federal agencies have oversight of the shipping of weapons out of the country, and there is still information floating around on their websites that contradicts current requirements."

Diaz said he was also able to show shortcomings in the shipping company's actions. "The paperwork wasn't properly complete, and they allowed the safe to be shipped without opening it," Diaz said.

The attorney said the problems began when the Belize officials examined the guns inside the safe and determined that some were not in compliance with a regulation banning the importing of handguns larger than 9 millimeters.

The shipment was then sent back, and his client planned to swap the larger-caliber guns for smaller weapons, Diaz said. But when the weapons were returned to the U.S., the U.S. Immigration and Customs Enforcement agency discovered them and began a probe.

Juror James K. Pierson III said the evidence presented by the government revealed a set of laws on gun shipping that were hard for even the investigators to follow.

"All of the agents on the stand were confused. Nobody knew what the law was," Pierson said. "How could they hold this man to that higher standard and convict him of a felony when they couldn't explain the law?"

Pierson said he believed Baltazar was following the advice of the shipping company.

"All of the character witness said he was stand-up guy. So why would he do this to screw up his retirement," the juror said.

LAPD officials said Baltazar remains an LAPD officer but has been on leave since the department was notified of the investigation.