DOJ hiring wave of lawyers at Texas border

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Houston, Texas (Credit: iStock.com/VictoriaAvvacumova)

The United States is lawyering up at its southern border.

The DOJ <u>posted</u> a wave of 16 assistant US attorney (AUSA) job openings in the Southern District of Texas on 23 September, indicating a ramp-up of federal law enforcement resources in the massive district.

Most positions are listed in the office's Criminal Division, with just two each in the civil and appellate divisions. Half are time-limited "term" positions, while the other half are permanent. Most listed an application deadline of 25 September, giving prospective applicants just two days to put their names in.

"Our Criminal Division AUSAs are responsible for prosecuting a variety of violations and enforcing federal laws related to organized crime, financial litigation, immigration, drugs, firearms, public corruption, asset forfeiture, and white-collar crime," the descriptions read, with identical passages in six of the permanent and five of the term positions.

The district's <u>boundaries</u> cover the southeastern portion of the state, roughly a third of it along the US-Mexico border and the rest along the Gulf coast. The new attorneys will be based throughout the district, with many in the major port city of Houston. Others will work from the smaller border cities of McAllen, Laredo, and Brownsville, and the coastal city of Corpus Christi.

One term **position** in the Houston office's Criminal Division asset recovery unit will be assigned to criminal and civil forfeitures involving money laundering, drug trafficking,

organised crime, fraud, and related cases. <u>Another</u> permanent position will work on "land condemnation matters and related cases" involving the border. A civil <u>position</u> will also focus on land condemnation matters, while the <u>other</u> will work on immigration and asylum cases.

One of the appellate term <u>positions</u> will focus on the department's "Border District Surge" and points to examples of work related to illegal immigration, "illegal trafficking of dangerous drugs and human beings", cartels, transnational criminal and foreign terrorist organisations.

"An awful lot" of hires

The surge in hiring comes as the DOJ has shifted its enforcement priorities towards immigration, drug crimes, and related matters. The office has put out a <u>steady stream</u> of press releases related to cases involving alleged immigration, drug, human trafficking and other violations over the past several months.

Adrienne Frazior, a former Southern District of Texas assistant US attorney now at Polsinelli in Dallas, told GIR she had never seen the federal government hire so many assistant US attorneys at once.

"Sixteen [positions] is an awful lot," she said, and questioned if some could be related to widespread federal government cuts earlier in the year. But the hiring also shows where the DOJ is putting its resources, she said.

"Any time you see the government surging in one area over another...I think we need to be thinking about how far-reaching [enforcement] can be," she said.

The office will likely continue its focus on immigration-related enforcement, she said, noting that the Houston area is a major business hub. Companies that hire undocumented immigrants could be at greater risk of scrutiny, she said.

"With the immigration side of things, if you are tackling a corporation, and figure out they are hiring people who are not here legally, that's going to make a bigger splash," she said.

Assistant US attorneys are also skilled at prosecuting complex cases, she said, which will likely allow the office to go after cases like fraud schemes.

"Immigration cases are not usually as complex, but any time you bring immigration into a fraud case, it's going to get more sophisticated," she said.

Rachael Jones, a former federal prosecutor now at McKool Smith in Dallas, also noted that the new AUSAs could help a recently created **task force** enforce trade fraud.

"If you do business with any type of good that is imported, or if you're exporting, I think those are issues for corporations," she said, "They're going to want to take into account the deterrent value of any prosecution."

She also echoed Frazior's points about companies being prosecuted for hiring undocumented immigrants, adding that federal agencies could increase raids or other

enforcement actions on businesses, especially near the border.

But although DOJ leadership <u>has indicated</u> cartels and transnational criminal organisation-related bribery cases as corporate enforcement priorities, Frazior still didn't expect the office to bring many such cases.

"I don't think of corporations as being in the cartel type of work," she said, though she added that corporate enforcement is still a priority with each administration – and AUSAs will follow any tangible lead that comes up.

"No prosecutor's going to turn away if they see that a cartel is somehow connected to a company," she said.

A DOJ spokesperson in the Southern District of Texas did not respond to GIR's request for comment.

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