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Organization of American States

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**INTER-AMERICAN DRUG ABUSE
CONTROL COMMISSION
CICAD**

Secretariat for Multidimensional Security

**XLI MEETING OF THE GROUP OF EXPERTS FOR THE CONTROL OF MONEY LAUNDERING
OCTOBER 1-2, 2015
LIMA, PERU**

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**CASE STUDY ON INTERNATIONAL COOPERATION
ON THE SUBJECT OF FORFEITURE
DULCE LUCIANO
FINANCIAL ANALYSIS UNIT
DOMINICAN REPUBLIC**

CASE STUDY ON INTERNATIONAL COOPERATION ON THE SUBJECT OF FORFEITURE

DOMINICAN REPUBLIC

LIMA, PERU, 1-2 OCTOBER 2015

INTERNATIONAL JUDICIAL COOPERATION 2011-2014

Country	Quantity
Bélgica	1
Brasil	1
España	8
Estados Unidos	20
Canadá	3
Colombia	1
Holanda (Países Bajos)	13
Honduras	1
Rumania	1
Rusia	1
Egipto	3
Alemania	1
Francia	5
Venezuela	4
Suiza	
Italia	
TOTAL	64

International Judicial Cooperation United States

INTERNATIONAL COOPERATION - CASES

- Case Ramos
- Case Jayrece Turnbull
- Case Hermanos Benítez
- Case Morgan
- Case Yunior Lopez
- Case Quirino Ernesto Paulino Castillo
- Case Ruddy Therasan
- Case Amer Mir
- Case Ruddy Therasan
- Case Call Center
- Case Cid Bonilla
- Case Oscar Ezequier Rodríguez Cruz
- Case el Bolo
- Case Orlando Rodríguez
- Case Ruiz-Rueda Leal
- Case Tidore (Sarah)
- Case Adrien de Mustier

VALUES SEIZED IN 2013 INTERNATIONAL CASES

Case	Amount RD\$	Amount USD
Muller	100,150,000.00	2,225,555.56
Italia	206,000,000.00	4,577,777.78
Bélgica	1,000,000.00	22,222.22
Crespo	8,484,000.00	188,533.33
Total	315,634,000.00	7,014,088.89

VALUES SEIZED IN 2014 INTERNATIONAL CASES

CASE	SEIZED	AMOUNT RD\$	AMOUNT USD
Kingsley	Judicial Cooperation Switzerland. Seized Assets: 1 house, 4 lots, 1 Vehicles and 1 Motorcycle.	8,900,000.00	197,777.78
Civelli	Judicial Cooperation France. Seized Assets: Several lots and one Craft.	5,000,000.00	111,111.11
Dickson Gutiérrez	Judicial Cooperation France . Seized Assets: 2 lots.	600,000.00	13,333.33
TOTAL		14,500,000.00	322,222.22

DISTRIBUTION OF ASSETS AFTER AUCTION

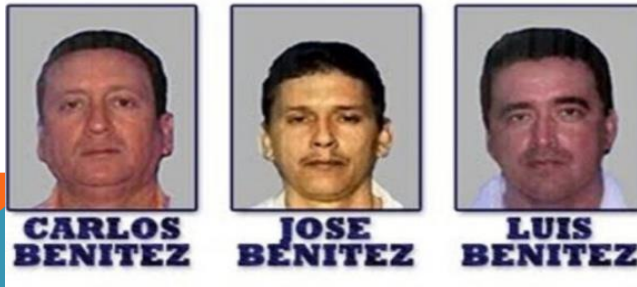
DETALLE	2007	2008	2009	2010	2011	2012	2013	2014	2015	TOTAL
1 Dirección Nacional de Control de Drogas	8,553,710.83	6,017,660.89	1,676,901.69	37,081,445.26	52,023,288.17	11,333,031.83	4,381,262.95	71,506,462.85	8,256,925.77	200,830,690.24
2 Consejo Nacional de Drogas	5,987,597.59	4,212,362.63	1,173,831.17	25,955,849.57	49,432,035.73	9,556,001.14	3,066,659.34	71,356,987.88	8,256,925.77	178,998,250.82
3 Procuraduría Gral. De la Republica	0.00	0.00	0.00	0.00	0.00	5,409,596.19	0.00	71,356,687.85	8,256,925.77	85,023,209.81
4 Policía Nacional	0.00	0.00	0.00	0.00	17,351,869.65	2,163,838.48	0.00	28,452,810.19	3,302,770.31	51,271,288.63
TOTAL DISTRIB. INSTIT. DEL ESTADO	14,541,308.42	10,230,023.52	2,850,732.86	63,037,294.83	118,807,193.55	28,462,467.64	7,447,922.29	242,672,948.77	28,073,547.63	516,123,439.50
TOTAL DISTRIBUIDO A ONG'S	4,016,588.09	1,805,675.82	503,070.45	11,118,313.51	27,502,107.22	4,820,453.28	1,275,918.44	43,501,131.00	4,954,155.46	99,497,413.26
TOTAL FONDOS DISTRIBUIDOS (NETO)	18,557,896.51	12,035,699.34	3,353,803.31	74,155,608.34	146,309,300.77	33,282,920.90	8,723,840.73	286,174,079.77	33,027,703.09	615,620,852.76
TOTAL DEDUCCIONES	51,509.86	21,307.78	6,841.03	125,904.30	1,349,495.76	259,218.39	56,356.24	5,376,182.24	58,100.64	7,304,916.24
VALOR TOTAL DE DISTRIBUCION (BRUTO)	18,609,406.37	12,057,007.12	3,360,644.34	74,281,512.64	147,658,796.53	33,542,139.29	8,780,196.97	291,550,262.01	33,085,803.73	622,925,769.00

Total distributed in US dollars: **USD13,842,794.87**

CASE BROTHERS BENITEZ

Carlos, José and Luis Manuel Benítez, accused of defrauding the Medicare system of the United States for millions of dollars.

The brothers Benítez, Cuban-American, invested part of this money in real estate and assets in the Dominican Republic.



BACKGROUND

The brotheres Carlos, Luis and José Benítez, of Cuban nationality, arrived in the United States in 1995 where they were nationalized five years later.

The three were accused of defrauding the Medicare 119 million dollars in fraudulent declarations expressed by 11 clinics of treatment against HIV in the County Miami-Dade.

HISTORY CASE BROTHERS BENÍTEZ

On June 16, 2008, the Unit specialized in the PGR anti-money laundering of assets received a request for cooperation by the lawyer litigator for the Department of Justice of the United States of America, criminal division, fraud section, where he was informing us that a federal grand jury in the Southern District of Florida accused formally to Calos Benítez, Luis Benítez and José Benítez (The Benítez brothers) for acts committed in a scheme to defraud the US for one hundred and ten million dollars (US\$ 110, 000,000.00) to submit false claims and fraudulent to the Medicare program, an official government program of care medical.

PROSECUTION

Carlos, Luis and José Benítez were accused each of false claims to the program will medicate and to pay illegal commissions for medical attention, in violation of the section 371 of the title 18 of the code of the United States and conspiracy to commit fraud of medical attention, in violation of the section 1349 of the title 18 of the code of the United States of America.

TRANSFER OF ASSETS

The United States reported that the brothers Benitez had transferred assets to the Dominican Republic to buy movable and immovable property in the country.

According to information provided by the Dominican authorities the brothers Benítez were controlling big real property tenancy in the Dominican Republic that were including a complex of condominiums and a water park that was still in construction process, therefore the government of the United States requested the seizure before to the judgment of these assets.

PROCESS IN DOMINICAN REPUBLIC

The Dominican Republic began an operation against the mafia network led by the brothers Benitez. The Cuban-American Oscar, Carlos, Luis and Jose Benitez, were indicted by a grand jury in the Southern District of Florida for defrauding the government of the United States by \$110 million.

The Unit anti-money laundering of assets, together with the Federal Bureau of investigation (FBI) and the national police, began operations of forfeiture, in the Province Altagracia and the National District, where seized goods and titles of properties belonging to the brothers Benítez.

TPOLOGY

The brothers hired slightly ethical doctors with authorization of the Medicare, who in turn were paying away from Cuban immigrants so that they were registering like proprietors of the clinics and were paying 150 dollars for visit to a network of men and women of Miami-Dade carries of the virus of the AIDS that were patient of the Medicare.

The brothers - Carlos, Luis and Jose Benitez - fled from Miami after being indicted in May of 2008, while the prosecutions were sealed. Using passports Cubans to travel from Miami to the Dominican Republic, and from there to Cuba.

TPOLOGIES - COMPANIES

The named Carlos Benitez, Luis Benítez and José Benítez and their related, as it is the case of the Lady Divanna Sánchez Rijo, were the following companies:

Cabañas Bayamesa S.A.,

HB Vista Bávaro, S.A,

HB Global Rentar Car S.A.

HB Inversiones del Caribe S.A.,

Companies that were formed in the Dominican Republic with the purpose of using them as vehicles to purchase numerous movable and immovable property with the illicit money who had defrauded the government of the United States.

SEIZED ASSETS

Water Park
 Rent-a-Car
 Vehicles
 Catamarans
 Helicopters
 Cabins
 Villas
 Marine Ships
 Cash
 Lots
 Aircraft
 Works of art
 Apartments
 A hote (In construction)

These seizures amounted to more than a thousand millions of Pesos gold Dominicans (RD\$ 1,000,000.00).

REAL ESTATE

plot no. 86-SUBD-45, cadastral 11/4th, in the municipality of Higüey district covered by certificate of title no. 2003-676.

plot no. 86-SUBD-37-B, of the district cadastral 11/4th, in the municipality of Higüey covered by certificate of title no. 2003-677

plot No.95-A-4-D-12-A, district cadastral 11/4th, in the municipality of Higüey registration No. 1000000031.

plot No.95-A-4-D-12-B of land 11/4th, in the municipality of Higüey district

plot No.95-A-4-D-12-C, district cadastral 11/4th, in the municipality of Higüey registration No. 1000000043.

plot No.95-A-4-D-12-D of land 11/4th, in the municipality of Higüey district

plot No.95-A-4-D-12-E, district cadastral 11/4th, in the municipality of Higüey registration No. 1000000077

plot No.95-A-4-D-12-F, district cadastral 11/4th, in the municipality of Higüey registration No. 1000000033

plot No.95-A-4-D-12-G of land 11/4th, in the municipality of Higüey district

Plot No. 95-to-4-D-12-I, the District Cadastral 11/4ta, the municipality of Higüey, covered by the certificate of title No. 2007-3304

plot No. 95-to-4-D-12-J, the District Cadastral 11/4ta, the municipality of Higüey, registration No. 1000000046.

A portion of land with a surface extension 400 Mst², within the scope of the plot No. 420-A-57, the District Cadastral 10/6, of the municipality of Higüey, province of La Altagracia.

A portion of land with a surface area of 10.11 Mst², within the scope of the solar No. 13, Apple 66 Prov, district cadastral No. 1, OF the municipality of Higüey, province of La Altagracia.

The solar No. 2, Block 66 Prov, District Cadastral No. 1, OF the municipality of Higüey, province of La Altagracia .

the solar No. 1, Block 66 Prov, District Cadastral No. 1, OF the municipality of Higüey, province of La Altagracia.

The solar We. 4 AND 5, of the block 177 of the district land registry No. 1, OF the municipality of Higüey, registration Nos. 1000001451 And 1000001452.

A portion of land with a surface area of 3.000 m² within the scope of the plot No. 67-B-370-C, the District Cadastral 11/3was, in the municipality of Higüey covered by the certificate of title No. 98-335.

The plot No. 95-TO-4-D-8, the District Cadastral 11/4ta, the municipality of Higüey covered by the certificate of title No. 2004-112.

The plot No. 95-TO-4-D-9, the District Cadastral 11/4ta, the municipality of Higüey covered by the certificate of title No. 2004-113.

The plot No. 95-TO-4-D-10, the District Cadastral 11/4ta, the municipality of Higüey covered by the certificate of title No. 2004-114.

The plot No. 95-TO-4-D-43, the District Cadastral 11/4ta, the municipality of Higüey covered by the certificate of title No. 2004-115 plot No. 95-TO-4-D-1, the District Cadastral 11/4ta, the municipality of Higüey, covered by the certificate of title No. 2004-239.

Plot No. 95-TO-2-REF-8, the District Cadastral 11/4ta, the municipality of Higüey, covered by the certificate of title No. 2005-485

plot No. 95-TO-2-REF-6, the District Cadastral 11/4ta, the municipality of Higüey, covered by the certificate of title No. 2005-482

plot No. 95-TO-2-REF-7, the District Cadastral 11/4ta, the municipality of Higüey, covered by the certificate of title No. 2005-484.

A portion of land with a surface area of 13, 205 mts² within the scope of the plot No. 86-R, of the District Land Registry No. 11/4Ta, the municipality of Higüey.

A portion of land with a surface area of 00ha, 11ace, 63 cas within the scope of the plot No. 86-SUBD-50-B-RECAST-4, of the District Land Registry No. 11/4Ta, the municipality of Higüey covered by the certificate of title No. 96-1.283 .

A portion of land with a surface area of 14.31 tasks within the plot No. 174-A, the D. C. No. 10/5Ta, the municipality of Higüey covered by the certificate of title No. 85-2002.

A portion of land with a surface area of 5.000 mts² within the plot No. 408, The D. C. No. 10/6Ta, the municipality of Higüey covered by the certificate of title No. 2004-239.

A portion of land with a surface area of 9.745 mts² within the plot No. 86 Of the District Land Registry No. 11/4Ta, the municipality of Higüey covered by the certificate of title No. 70-108.

The plot No. 86-R-17, D. C. No. 11/4Ta, the municipality of Higüey covered by the certificate of title No. 2004-03

plot No. 95-T0-2-REF-35, the District Cadastral 11/4ta, the municipality of Higüey, covered by the certificate of title No. 2005-486

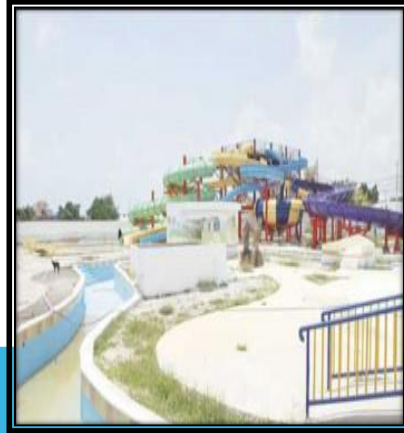
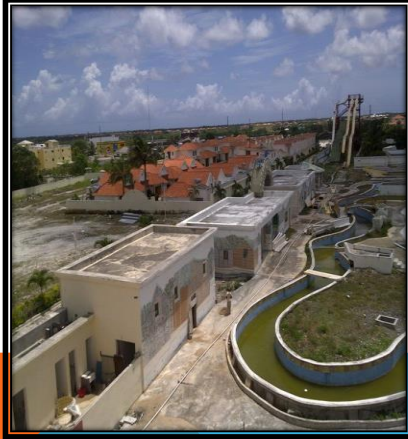
plot No. 95-T0-2-REF-4, the District Cadastral 11/4ta, the municipality of Higüey, covered by the certificate of title No. 2005-481.

A portion of land with a surface area of 00 hectares, 59, 16 Cas within the scope of the plot No. 86 Of the District Land Registry No. 11/4Ta, the municipality of Higüey covered by the certificate of title No. 70-108

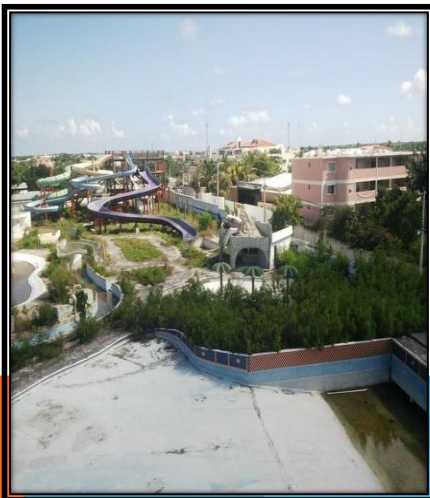
- A house of two levels, located in the street Welcome Creales, corner José Loreto Julian, city of Higüey, *
- A Villa of two levels, located at the front of the hotel Ifa (Villa Bavaro),
- The huts Singapore, located in the road La Romana-Higüey , municipality of Higüey, *
- Cabins my house, located on the road La Romana-Higüey municipality of Higüey, *
- The Supermarket and/or food Services Columbus, located in the street Laguna flat, the city of Higüey, *
- Water Park Bavaro Punta Cana, (currently under construction), which in its interior has several buildings type building of apartment, located on the road Friusa Bávaro, municipality of Bavaro, Cabins View Bavaro, located on the road Friusa Bávaro, municipality of Bavaro, * .
- A house without a number and eight apartments, surrounded by a wall of block, with a door built in mesh cyclonic, next to the Bavaro - Restaurant, .
- A Property Type Local, without number where does Global Rent Card, located on the road Friusa Bávaro, municipality of Bavarian

Office of a level, dedicated to the boat rental and apartment, built on the beach of Bávaro, next to the plaza artesanal Bibi Jagua *

WATER PARK AND HOTEL VALUED IN RD\$55,000,000



WATER PARK



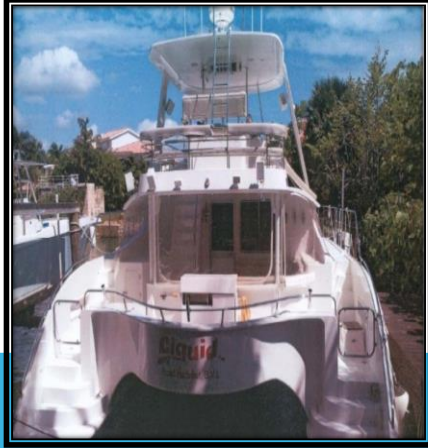
**CABINS SINGAPUR,
BAYAMESA, MI CASA AND
VISTA BAVARO**



VISTA BAVARO



AIRCRAFT AND CATAMARAN



GLOBAL RENT-A-CAR



WORKS OF ART



SITUATION OF THE PROCESS

This case reached the Authority of the Thing irrevocably Judged in the United States and its Judgments were Approved in the Dominican Courts, and the assets were sold mostly by the U.S. Marshalls through a local lawyers office.

DISTRIBUTION %

The Cooperation Agreement established a 20% of total assets forfeited that includes:

The fleet of vehicles seized.

The Hut Singapore located in Higuey

The Solar of 10 thousand square feet with Industrial Warehouse on the road from the entrance of Higuey.

27 millions of Pesos, product the rents for the units leased during the criminal process.

USA ARE STILL ON THE TRAIL OF THE BROTHERS BENITEZ AND OTHER SWINDLERS TO MEDICARE



The brothers Benitez made their fortune in the Dominican Republic

NEWS Nov 10 2013, 12:00 AM

MIAMI.- United States is still followed in the footsteps of the notorious brothers Benitez, three mafia that medical insurance program that funded by the taxpayers (Medicare), in Miami.

Source: www.diarilibre.com

Thank you very much

DULCE MARIA LUCIANO
DIRECTOR OF THE FINANCIAL ANALYSIS UNIT (FAU) ON BEHALF OF THE
OFFICE OF SEIZED AND FORFEITED ASSETS