



The United States Attorney's Office  
**District of Colorado**

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March 17, 2010

**ROCKY MOUNTAIN INSTRUMENT COMPANY CHARGED WITH ILLEGALLY EXPORTING DEFENSE ARTICLES WITHOUT A LICENSE TO TURKEY, SOUTH KOREA, CHINA AND RUSSIA**

DENVER – Rocky Mountain Instrument Company, a Colorado corporation located in Lafayette, Colorado, was charged by Information today with one count of knowingly and willfully exporting defense articles without a license. Attorneys for the corporation appeared in court this afternoon, where they were advised of the charges and the penalties.

According to the Information, between April 1, 2005 and October 11, 2007, the defendant, Rocky Mountain Instrument Company, knowingly and willfully exported and caused to be exported from the United States to Turkey, South Korea, the People's Republic of China, and Russia, defense articles, that is, prisms and technical data related to various optics used in military applications, which were designated as defense articles on the United States Munitions List, without having first obtained from the United States Department of State a license or written authorization for such exports.

The Information also includes a notice of criminal asset forfeiture for the sum of \$1,000,000 in United States currency, representing the amount of proceeds obtained as a result of the offense.

The investigation into this matter continues.

"Exporting defense articles without a license is a serious crime that could adversely affect our National Security," said U.S. Attorney David Gaouette.

"U.S. export laws help protect this country from others who would use our own technology against us," said Kumar Kibble, Special Agent in Charge of the ICE Office of Investigations in Denver. "ICE acts as one of the prime enforcers of these laws." Kibble oversees a four-state area, including: Colorado, Montana, Utah and Wyoming.

"Protecting the Warfighter is a top priority for the Defense Criminal Investigative Service," said Defense Criminal Investigative Service Special Agent in Charge Byron J. Hogan. "The technical advantage the Department of Defense possesses with regard to military optics has been critical to the success of our Warfighters and compromising that technology puts our service men and women at risk. Therefore, DCIS along with its partners in law enforcement, the United States Attorney's Office, and ICE, will continue to make every effort to bring those who commit violations of this type to justice."

If convicted, faces a fine of not more than \$1,000,000, as well as up to 5 years of probation.

This case was investigated by the Immigration and Customs Enforcement (ICE) Office of Investigations, and the Defense Criminal Investigative Service (DCIS). The Department of State has provided information as part of the investigation.

An Information is a formal charging document where the defendant, in this case a corporation, waived their Constitutional right to be indicted by a federal grand jury.

This case is being prosecuted by Assistant U.S. Attorney Matthew Kirsch.

The indictment is an allegation, and the defendant is presumed innocent unless or until proven guilty.

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