

Former Federal Correctional Officer Sentenced to Federal Prison for Role in Bribery and Contraband Smuggling Scheme

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For Immediate Release

U.S. Attorney's Office, District of Oregon

PORTLAND, Ore.—A former federal correctional officer in Oregon was sentenced to federal prison today for his role in a conspiracy to smuggle contraband into a federal prison in exchange for money.

Nickolas Carlos Herrera, 34, of McMinnville, Oregon, was sentenced to 15 months in federal prison and three years' supervised release.

"Corruption by any public official or law enforcement officer is unacceptable. Mr. Herrera dishonored both himself and the law he swore to uphold, as well as the justice system he represents, by allowing a free flow of criminal activity in and out of the prison," said Aubree M. Schwartz, Acting Special Agent in Charge of the FBI Portland Field Office. "Today's sentence should send a strong message to all who abuse their positions for personal gain: we will not accept corruption in any form, or at any level."

"By smuggling drugs, a cell phone, and other contraband into FCI Sheridan, Herrera exchanged the safety and security of the entire institution for his own selfish gain. Today's sentencing shows that correctional officers who accept bribes and bring contraband into federal prisons will be held accountable for their crimes," said Zachary Shroyer, Special Agent in Charge of the Department of Justice Office of the Inspector General Western Region.

According to court documents, from April 2015 until he was placed on administrative leave in December 2019, Herrera was employed as a correctional officer at the Federal Correctional Institution in Sheridan, Oregon, a medium security federal prison. Herrera used his position to introduce contraband into the facility for the benefit of select inmates, including Donte Hunt, 40, of Portland, who at the time was in custody pending trial on federal drug, gun, and money laundering charges. In the spring of 2019, Herrera started bringing contraband items such as food, clothing, and cigarettes into the facility, which he gave to Hunt.

Later, Herrera brought Hunt marijuana; Suboxone, a Schedule III narcotic; Yeezy brand designer sneakers; and a cell phone. Herrera obtained the items from Elizabeth McIntosh, 34, a non-incarcerated associate of Hunt's. On at least one occasion, Herrera allowed Hunt to use a staff phone at the prison to call McIntosh to arrange the delivery of contraband to Herrera. Herrera met McIntosh on multiple occasions to obtain items for Hunt and accepted payment from her on Hunt's behalf.

On September 24, 2020, a federal grand jury in Portland returned an indictment charging Herrera, Hunt, and McIntosh with conspiracy and bribing a public official. Herrera and Hunt were also charged with providing contraband in prison.

On May 19, 2022, Herrera pleaded guilty to conspiracy, providing contraband in prison, and accepting a bribe as a public official.

On December 18, 2023, Hunt pleaded guilty to conspiracy and bribing a public official. He was sentenced today to 15 months in federal prison to be served concurrently with a 300-month sentence previously imposed from his underlying criminal case.

On November 29, 2023, McIntosh pleaded guilty to a one-count criminal information charging her with misprision of felony and, on February 13, 2023, she was sentenced to one year of probation.

This case was investigated by the FBI and the Department of Justice Office of Inspector General with assistance from the Federal Bureau of Prisons, Portland Police Bureau, and IRS-Criminal Investigation. It was prosecuted by Ethan Knight and Katherine Rykken, Assistant U.S. Attorneys for the District of Oregon.