

Department of Justice
U.S. Attorney's Office
Central District of California

FOR IMMEDIATE RELEASE
Thursday, May 17, 2018

Three Indicted in Immigration Fraud Scheme that Exploited Immigrant Farmworkers by Charging Prohibited Fees for Visas, Living Expenses

LOS ANGELES – Three Southern California men were arrested today pursuant to a federal grand jury indictment alleging they participated in an immigration fraud scheme that, among other things, illegally charged Mexican nationals thousands of dollars to obtain H-2A work visas and additional money for expenses once they arrived in the United States.

The indictment alleges that Mexican farmworkers were charged illegal fees for transportation, room and board after the company arranging for the workers' visas promised the United States Department of Labor and U.S. Citizenship and Immigration Services that the workers had not paid and would not have to pay for these expenses. In addition, the indictment alleges that the farmworkers were made to pay fees to obtain their visas, which is prohibited under the H-2A visa program.

The defendants arrested this morning are:

- Jorge Vasquez, 58, of Fontana, the owner of H-2A Placement Services, a farm labor recruiting company based in Rancho Cucamonga;
- Melquiades Jacinto Lara, 62, of Santa Paula, the owner of J&D Harvesting, which contracted workers to farms in Ventura County; and
- Ricardo Mendoza Oseguera, 39, of Santa Paula, the owner of Discoteca Mi Pueblito, a music and convenience store in Santa Paula, which redeemed vouchers given to workers for J&D Harvesting after deducting fees from the workers' pay.

The H-2A visa program allows employers to hire foreign, short-term agricultural workers when the employer cannot find suitable workers in the United States. H-2A labor contractors provide foreign workers to farms and generally are responsible for recruiting, transporting and housing the foreign workers. Before the foreign workers can receive visas, several government agencies must certify the need for foreign workers and determine that foreign workers would not adversely impact workers already in the United States.

In addition to provisions designed to protect domestic workers, the H-2A program has rules designed to protect foreign workers from exploitation, including prohibitions from charging the foreign workers for government approvals, equipment needed to perform their jobs, transportation to and from the fields, and costs associated with housing.

As part of the scheme alleged in the indictment, Vasquez travelled to Mexico to recruit farmworkers, who were charged as much as \$3,000 to obtain their H-2A visas.

In addition to illegally charging the foreign workers, Vasquez also allegedly made false promises to the workers about how long the visas would be valid and failed to tell the workers that they would be charged for housing, food and transportation. Vasquez is also alleged to have promised an H-2A visa to an undercover agent with the Labor Department's Office of Inspector General who Vasquez believed was an undocumented individual working in the construction industry in Las Vegas and had no interest in working in the agricultural industry, in exchange for \$3,500 to \$4,000.

In relation to the costs being borne by the foreign workers, Vasquez and Jacinto allegedly filed documents with federal authorities that contained false statements in connection with their application for visas for 75 workers to harvest lemons, avocados and oranges. Investigators have reviewed USCIS records that indicate that Vasquez and Jacinto have filed petitions for more than 350 farmworkers since 2012.

The indictment charges Vasquez and Jacinto with conspiracy, three counts of mail fraud, one count of visa fraud, and one count of fraud in foreign labor contracting for allegedly telling foreign workers in 2013 that the H-2A visas would be valid for three years, when they knew the visas would expire later that year.

Jacinto and Mendoza are charged with one count of operating an unlicensed money transmitting business. Mendoza's business served as a check-cashing and wire transfer service where the farmworkers would redeem vouchers or checks paid to them by Jacinto and send money internationally.

The three defendants named in the indictment are expected to be arraigned on the indictment this afternoon in United States District Court in downtown Los Angeles.

An indictment contains allegations that a defendant has committed a crime. Every defendant is presumed to be innocent until and unless proven guilty in court.

The mail fraud charges carry a statutory maximum sentence of 20 years in federal prison. The visa fraud count has a maximum sentence of 10 years in prison. The charges of conspiracy, fraud in foreign labor contracting and operating an unlicensed money transmitting business each carry maximum sentences of five years in prison.

The investigation into this immigration fraud scheme is being conducted by the United States Department of Labor - Office of Inspector General, U.S. Immigration and Customs Enforcement's Homeland Security Investigations, and the Diplomatic Security Services.

The case is being prosecuted by Special Assistant United States Attorney Stacey R. Fernandez of the Violent and Organized Crime Section.