

JUSTICE NEWS

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Three Colombian Nationals Extradited to the United States to Face Alien Smuggling and Visa Fraud Charges

WASHINGTON – Three Colombian nationals have been extradited from Colombia to the United States on charges of conspiracy to smuggle aliens for profit, alien smuggling for profit, and conspiracy to commit visa fraud in connection with their alleged roles in an extensive and sophisticated visa fraud scheme through which they fraudulently procured visas from the U.S. Embassy in Bogotá, Colombia. The extraditions were announced today by Assistant Attorney General Lanny A. Breuer of the Criminal Division; U.S. Attorney Ronald C. Machen Jr. of the District of Columbia; Eric J. Boswell, Assistant Secretary for Diplomatic Security and Director of the Office of Foreign Missions, U.S. State Department; and Director John Morton of U.S. Immigration and Customs Enforcement (ICE).

Heliber Toro Mejia, 52; Humberto Toro Mejia, 60; and Luz Elena Acuna Rios, 52; all of Bogotá, were charged in a three-count indictment returned by a federal grand jury in the District of Columbia on Feb. 4, 2009. The defendants were arrested on June 2, 2009, by Colombian authorities in Bogotá on provisional arrest warrants in response to a U.S. government request for their arrest. The defendants have been in custody in Colombia since their arrest and prior to their extradition to the United States. Humberto Toro Mejia was arraigned in U.S. District Court for the District of Columbia today and ordered detained by U.S. District Judge Ellen S. Huvelle. Heliber Toro Mejia and Luz Elena Acuna Rios were arraigned on July 14, 2010, and ordered detained by U.S. Magistrate Judge Alan Kay.

According to the indictment, the defendants were the leaders of an extensive and sophisticated visa fraud ring that profited by assisting otherwise inadmissible Colombian nationals in fraudulently procuring visas from the U.S. Embassy in Bogotá. To support the visa applications of alien applicants, the defendants and other conspirators allegedly created fictitious backgrounds for the aliens and fraudulent supporting documentation, including paperwork that appeared to be official Colombian government-issued documents such as tax filings and birth and marriage certificates. The indictment alleges that the conspirators coached the aliens on how to pass the visa interview at the U.S. Embassy in Bogotá by answering questions untruthfully. During the course of this conspiracy, which according to the indictment lasted between July 15, 2005, and March 20, 2007, more than 100 aliens are alleged to have fraudulently obtained or attempted to fraudulently obtain a U.S. visa. According to the indictment, many of those aliens who did obtain a fraudulently-procured visa used that visa to enter the United States.

If convicted, each defendant faces a maximum sentence of 10 years in prison for conspiracy to commit alien smuggling for profit, 10 years in prison for alien smuggling for profit, and five years in prison for conspiracy to commit visa fraud. Each defendant is also subject to a maximum fine of \$250,000 for each charge.

The charges are the result of "Operation Coffee Country," a coordinated international investigation by the Diplomatic Security Service - Regional Security Office in Bogotá and the ICE Attaché's Office in Bogotá. The Diplomatic Security Service - Criminal Investigations Division and the ICE Special Agent in Charge for Homeland Security Investigations in Washington, D.C. provided substantial assistance.

The government of Colombia, including the Colombian Department of Administrative Security and Colombian prosecutors, provided significant assistance and support during the investigation, arrest and extradition of the defendants. The Office of International Affairs in the U.S. Department of Justice's Criminal Division and the U.S. Embassy in Bogotá worked with their counterparts in Colombia to effect the extradition.

The case is being prosecuted by Trial Attorney James S. Yoon of the Criminal Division's Human Rights and Special Prosecutions Section and Assistant U.S. Attorney Frederick W. Yette of the U.S. Attorney's Office for the District of Columbia. Significant assistance from the Criminal Division's Office of International Affairs was provided by Trial Attorney Nicolette Romano.

An indictment is merely a formal accusation. It is not proof of guilt, and a defendant is presumed innocent unless and until proven guilty.

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Criminal Division