

JUSTICE NEWS

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Three Colombian Nationals Plead Guilty to Alien Smuggling and Visa Fraud Charges

WASHINGTON – Three Colombian nationals pleaded guilty today to conspiracy to smuggle aliens for profit and conspiracy to commit visa fraud in connection with their roles in an extensive and sophisticated visa fraud scheme through which they fraudulently procured visas from the U.S. Embassy in Bogotá, Colombia. The guilty pleas 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; Director John Morton of U.S. Immigration and Customs Enforcement (ICE); and Eric J. Boswell, Assistant Secretary for Diplomatic Security and Director of the Office of Foreign Missions, U.S. State Department.

Heliber Toro Mejia, 52; Humberto Toro Mejia, 60; and Luz Elena Acuna Rios, 53; all of Bogotá, pleaded guilty in Washington, D.C., before U.S. District Judge Ellen S. Huvelle. At sentencing, scheduled for Dec. 6, 2010, each defendant faces a maximum sentence of 10 years in prison for conspiracy to commit 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 defendants 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 and were subsequently extradited to the United States for prosecution.

Heliber Toro Mejia, Humberto Toro Mejia and Rios admitted that they operated 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. According to plea documents, to support the visa applications of alien applicants, the defendants and other conspirators 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. According to plea documents, the conspirators coached the aliens on how to pass the visa interview at the U.S. Embassy in Bogotá by answering questions untruthfully as well as how to lie to U.S. immigration authorities about their backgrounds when entering the United States. The defendants admitted to assisting more than 100 aliens in fraudulently obtaining or attempting to fraudulently obtain a U.S. visa during the course of the conspiracy. According to plea documents, many of those aliens who did obtain a fraudulently-procured visa used that visa to enter the United States.

As part of the plea agreements, the defendants also agreed to forfeit assets related to the alien smuggling and visa fraud scheme, including an office in Bogotá and \$234,533 in proceeds. The defendants agreed to fully assist the governments of the United States and the Republic of Colombia in the identification and location of all directly forfeitable property and substitute assets and to pass clear title to directly forfeitable property and substitute assets to the United States. If requested by the U.S. government, the defendants also agreed to voluntarily forfeit to the government of Colombia any and all assets which are subject to forfeiture as the result of their criminal activities.

The guilty pleas are the result of "Operation Coffee Country," a coordinated international investigation by the ICE Homeland Security Investigations (HSI) Attaché's Office in Bogotá and the Diplomatic Security Service - Regional Security Office in Bogotá. The ICE HSI Special Agent in Charge for in Washington, D.C., and the Diplomatic Security Service - Criminal Investigations Division 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 U.S. Department of Justice's Office of International Affairs and the U.S. Embassy in Bogotá worked with their counterparts in Colombia to effect the extradition.

The case is being prosecuted by Senior 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. Trial Attorney Jean Weld from the Criminal Division's Asset Forfeiture and Money Laundering Section also provided assistance.

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Criminal Division