

UNITED STATES OF AMERICA
DISTRICT OF OREGON

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AFFIDAVIT OF
MAXIMILLIAN L. TRIMM

I. Introduction

1. I, MAXIMILLIAN L. TRIMM, being first duly sworn, declare and say that: I am a Special Agent with the Immigration and Customs Enforcement (ICE), Office of Investigations, formerly known as the U.S. Customs Service.

II. Training and Qualifications

2. I have been employed as a Special Agent since December 2003. I am currently assigned to the ICE Portland Office of Investigations and investigate illegal identification document crimes, immigration fraud, human trafficking and worksite enforcement. During my career, I have conducted several investigations including but not limited to: Title 8 violations (re-entry after deportation); Title 18 violations (possession and manufacturing of false identification documents and entry documents); Title 21 violations (possession and distribution of controlled substances); Title 42 violations (Social Security fraud) violations.

3. I have also participated in several searches of businesses, residences and other locations for forged documents, controlled substances, firearms, evidence of illegal identification document production, and drug trafficking including the manufacturing of illegal controlled substances. I have used informants in many investigations where surveillance was conducted to determine whether the suspects were involved in the production and or sale of illegal identification documents and drugs. Many of those investigations concluded with searches of businesses, residences, vehicles, and/or persons.

4. In 2000, I received extensive training at the Federal Law Enforcement Training Center during the nearly 6-month long U.S. Border Patrol Academy. In 2004, I graduated from the ICE Special Agent/Criminal Investigator Academy. I learned the different methods used by individuals and criminal organizations to commit identity related crimes including the illegal use, production, manufacture, and possession of identification documents as well as the methods used by criminal organizations involved in the importation, distribution and manufacture of controlled substances and worksite enforcement violations.

5. I have been working on illegal identification documents, worksite enforcement and drug investigations in Oregon for the past 3 years. I have participated in worksite investigations, both in the district of Oregon and as part of a national

operation. In 2006, I participated in Operation Wagon Train, which was a large national operation involving the Swift Corporation and resulted in over 1,200 immigration related arrests and several criminal Aggravated Identity Theft convictions. I have read the cases and operational plans of other recent worksite enforcement operations to include Operation Boston Whaler. This was another national operation that included the sale of counterfeit Immigration and Social Security documents and the employment of illegal aliens. This knowledge was obtained from what I have learned from other law enforcement officers, informants, witnesses, and other subjects involved in production, possession and/or sale of illegal identification documents and the employment of illegal aliens. I have developed a strong working knowledge of how these crimes are committed. I have arrested numerous people for immigration violations over the last 7 years.

6. This affidavit is submitted in support of an application for a search warrant that includes businesses and specific persons (see Attachment "A"), in which I have probable cause to believe that certain items, which have been involved or used and/or are currently involved or used in the production and distribution of forged documents and the employment of illegal aliens, are being concealed (see Attachment "B"). I obtained the information in this affidavit from police reports, subpoenaed records, physical evidence, surveillance, interviewing other police officers/agents, a confidential informant and from my own investigation.

III. Overview of Investigation

7. Fresh Del Monte Produce came to the attention of ICE from the following sources of information as a company that knowingly hires illegal aliens in the local Portland, Oregon area:

- A truck driver present during a worksite enforcement operation on 4/19/2006 provided ICE with his observations of the Fresh Del Monte facility in North Portland as a business that hires hundreds of illegal workers.
- A previous ICE led investigation that resulted in an arrest of a convicted sex offender/illegal alien at the Fresh Del Monte facility in mid 2005 in which I was a part of the arrest team. At that time, I spoke with several managers and developed a suspicion that many of the employees I observed in the production area were possible illegal aliens.
- A previous Department of Justice/Immigration & Naturalization Service raid at the same facility in 1999 that resulted in the arrest of 81 illegal aliens (In 1999 it was Graziano's Produce).

Fresh Del Monte Produce subcontracts their labor needs with American Staffing Resources, a workforce staffing agency, to fill the production worker positions at their company located at 9243 North Rivergate Boulevard in Portland, Oregon. A confidential and reliable informant working as directed by ICE was instructed by staff members at both Fresh Del Monte Produce and American Staffing Resources to obtain fraudulent immigration documents in order to be employed with them. The Social Security Administration, Office of Inspector General is also investigating both Fresh Del Monte Produce and American Staffing for Social Security Fraud and Identity Theft charges.

8. On 12/28/2006, SA-348-PT (an ICE directed confidential informant, hereafter referred to as the CI) went to the Fresh Del Monte Produce production plant located at 9243 North Rivergate Boulevard in Portland, Oregon to find out about how to obtain employment at their company. The CI was introduced to a Fresh Del Monte Produce manager who was a Hispanic male, who identified himself as BUSTAMANTES, Carlos. The CI explained to BUSTAMANTES that he was born in Mexico and did not have any legal documentation to work in the United States, but he would like to work for Fresh Del Monte Produce in their production department. BUSTAMANTES told the CI to fill out an application, but to leave the parts blank that required either a Social Security number or a permanent resident alien number. BUSTAMANTES also told the CI to go to American Staffing Resources located at 8926 North Lombard Street in Portland, Oregon and watch a Fresh Del Monte Produce safety video and to complete the employment procedure with the staff there. (BUSTAMANTES has not been positively identified and is not mentioned further in this investigation).

9. On 1/4/2007, the CI was equipped with an audio recording device and arrived at American Staffing Resources at 2:20 p.m. to watch the Fresh Del Monte safety video. The quality of the recording is poor, so the statements are based on the CI statement or report. He was greeted by an individual, later identified as HERNANDEZ, Diana who told him that he needed either a Social Security card or a permanent resident card prior to watching the video or completing the employment process. The CI explained to HERNANDEZ that he did not have either document and that he is not a United States citizen. The CI asked HERNANDEZ where he could obtain the documents, and she told him he could get them on the street in Woodburn, Oregon. The CI asked if it mattered to her if the documents were fake, and HERNANDEZ replied that it would be okay as long as they looked like official government documents. At approximately 3:20 p.m., the CI left American Staffing Resources and went to the Fresh Del Monte Produce plant to look for Carlos and ask why he was scheduled to watch the safety video if he needed the immigration documents first. The CI arrived at the Fresh Del Monte Produce plant located at 9243 North Rivergate Boulevard in Portland, Oregon at approximately 3:30 p.m.

10. The CI was told by the staff at Fresh Del Monte Produce that Carlos was not there but directed him to his supervisor, who was a Hispanic female in her thirties, later identified as CAMACHO, Lourdes. The CI told her that he did not have legal immigration papers and that Carlos had told him that this issue would not be a problem for him to obtain work there. CAMACHO told him that he would need to come up with some form of Social Security card or green card to work there and provided him with the phone number for BUENROSTRO, Jose who might be able to help him. At approximately 3:45 p.m., the CI left the Fresh Del Monte plant and called BUENROSTRO. BUENROSTRO told him that he needs to find a way to get the documents. The CI explained again to BUENROSTRO that he is present in the United States illegally and that he has never had any immigration papers. BUENROSTRO told the CI that he should know how to get these papers, and to do so and bring them back to American Staffing to get the job.

11. On 1/5/2007, ICE provided the CI with an invalid, obviously fake resident alien card to provide to the staff at American Staffing. The resident alien card bore the A# XXX XXX 013, which is assigned to an empty file jacket. The CI was equipped with both video and audio surveillance equipment and arrived at the American Staffing office at approximately 2:20 p.m. to present the document for employment.

12. HERNANDEZ, Diana was present at American Staffing and made copies of the resident alien card and introduced the CI to a woman only identified as Maria, later identified as AMEZCUA-Salvador, Margarita. AMEZCUA provided the I-9 form to him to fill out (an I-9 form is a standard government employment form that all U.S. employers are responsible for completion and retention for each individual they hire for employment in the United States. This includes citizens and non-citizens. On the form, the employer must verify the employment eligibility and identity documents presented by the employee and record the document information on the Form I-9. Acceptable documents are listed on the back of the form. The CI explained to AMEZCUA that he did not have a Social Security card and that even his resident alien card was fake. AMEZCUA told him to create seven numbers to complete the Social Security section of the form and actually wrote 09 on the form for him.

13. AMEZCUA explained to him that the number must start with 09 but the remaining numbers could be his choice. The CI wrote in the numbers 1,2,3,4,5,6,7 to complete the form. He then asked AMEZCUA which box he should check between being a US citizen or a resident alien. She told him to check the resident alien box. AMEZCUA also told him to call her later at her private number, (503) XXX-4678 to discuss how the CI will obtain the Social Security card. AMEZCUA explained that he needs to have an actual Social Security card and that he needs to call her later for both a price and location to receive the card.

14. On 1/5/2007 at approximately 6:45 p.m., the CI placed a phone call to AMEZCUA from American Staffing on his personal cell phone to discuss his employment process with Fresh Del Monte Produce. This call was monitored and recorded by ICE Senior Special Agent Todd Clements and I. During the course of the conversation, the following information was obtained:

- a. The CI asked AMEZCUA about how much she was going to charge him for the Social Security card that she told him he was going to need to start work. AMEZCUA told him that the cost would be \$80, and that price includes both a counterfeit Social Security card and Resident Alien card.
- b. AMEZCUA told him that the Social Security number that he provided on his I-9 form would need to be changed because the 091-23-4567 he wrote down in her office did not seem credible. She said that she would get a new number and complete the form for him before he starts work.
- c. AMEZCUA also stated that she would call him in a few days to tell him when he could pick up the card from her after she had obtained it from her source.

15. AMEZCUA stated that he will have the job at Fresh Del Monte Produce as soon as the next position becomes available, which should be in the coming week.

16. On 1/9/2007, at approximately 4:30 p.m., the CI received a phone call from AMEZCUA from American Staffing on his personal cell phone to discuss his employment process with Fresh Del Monte Produce. During the course of the conversation, the following information was obtained:

- a. AMEZCUA stated that she had not obtained the Social Security card for him yet, because her source at Su Casa Imports in Portland, Oregon told her they are 'laying low' due to some recent arrests that occurred there by the local police. The individual who was arrested was known as 'Beto' and he was affiliated with the people who sell the counterfeit government documents in front of Su Casa Imports.
- b. She stated that he will be able to start work without the Social Security card, and that she will get it for him as soon as she can. She will also talk to Diana about the matter and inform her that it is okay for him to start work without the card.
- c. She stated that the names of the 'bosses' at American Staffing are Lourdes and Jose BUENROSTRO.
- d. She stated that no one is hired at Del Monte without BUENROSTRO saying that it is okay.

17. She stated that he could call HERNANDEZ at the American Staffing office at 8:00 a.m. on Tuesday, and that she would tell him when to start at Fresh Del Monte Produce.

18. On 1/22/2007, at approximately 8:05 a.m., ICE Special Agent Reese Berg and I, along with SSA/OIG Special Agent Elias Papoulias conducted audio and video surveillance during a meeting with the CI and the administrators at American Staffing. He was told the previous Friday afternoon by HERNANDEZ of American Staffing to be at the their office located at 8926 North Lombard Street in Portland, Oregon at 8:00 a.m. and to bring his resident alien card. The CI met with both HERNANDEZ and AMEZCUA, both of whom arrived together in a 2007 Mazda 6 bearing Oregon license plate 672-CWF at approximately 8:02 a.m. The following information was obtained during the conversation:

- a. AMEZCUA stated that she had not obtained his counterfeit Social Security card yet, but she should hear something soon from her source.
- b. HERNANDEZ took his resident alien card and made copies of it and told him that she is still waiting for Fresh Del Monte Produce to fax her an authorization to hire new workers, and when she receives the fax, he would be the first on the list to get the job.

19. The CI left the American Staffing Office at approximately 8:10 a.m. and surveillance was terminated.

20. SSA/OIG Special Agent Papoulias and I drove to the Fresh Del Monte Produce location approximately 8 minutes from the American Staffing office and observed the following vehicle exiting the Fresh Del Monte Produce parking lot: a 1989 Chevrolet Corsica bearing Oregon plate 699-ABM registered to CELIS-Mendoza, Gregorio DOB: XX/XX/1960. Further Immigration and criminal history checks revealed that CELIS had been previously deported from Portland, Oregon on 2/27/1997 and was assigned Alien registration # XX XXX 839 and FBI # XXXX1DB7.

21. On 1/29/2007, at approximately 8:45 a.m., the CI placed a phone call to HERNANDEZ at American Staffing to inquire about the delay in the hiring process at Fresh Del Monte Produce. He also inquired about the possibility of being placed at a different employer until the Fresh Del Monte Produce position becomes available. HERNANDEZ told him that she is still waiting word from Fresh Del Monte Produce to authorize more workers and that they are slow right now because of the season.

22. HERNANDEZ also stated that he could not work for the other companies for which American Staffing provides workers because the other companies actually require their workers to have valid Immigration papers. HERNANDEZ told the CI to call back every three or four hours to check on the status of the Fresh Del Monte Produce job and that he is still first on the list to be hired.

23. On 1/30/2007, SSA/OIG Special Agent Elias Papoulias and I met with the CI after he reported being contacted by HERNANDEZ at American Staffing. HERNANDEZ called him at approximately 1500 hrs, and stated that a position had opened at Fresh Del Monte Produce. HERNANDEZ requested that the CI report to American Staffing by 4:00 p.m. to complete his application paperwork and to be ready to report to work that evening. Special Agent Papoulias and I provided instructions to the CI and equipped him with audio and video recording equipment. We then established a surveillance position which allowed us to look directly in to the front office area of American Staffing. The CI was observed entering the building at 4:05 p.m.

24. At the time of the CI's entry, we noted that the previously identified Mazda bearing Oregon plate 672 CWF was parked directly in front of American Staffing on North Lombard Street. We observed several Hispanic men and three white females enter and exit the office during the period of observation. The CI was observed leaving the American Staffing office at 5:15 p.m.

25. We met with the CI at 5:25 p.m. He made the following statements in substance:

- a. I entered the American Staffing Office and contacted Diana HERNANDEZ and Maria (AMEZCUA).
- b. There appeared to be approximately thirty (30) people there all waiting to begin work tonight.
- c. I noticed that most were listed as "re-hires" on their applications. All thirty people were being hired to work at Fresh Del Monte Produce.
- d. I was given an application for employment to complete and sign.
- e. I asked Maria (AMEZCUA) about my Social Security Number and card and she said she would call her contact in Gresham, Oregon to order a card for me this week. Once she receives the card I am to meet with her and pay her \$80.00 for the card.
- f. Diana HERNANDEZ instructed Maria (AMEZCUA) to change the Social Security number listed on my I-9 and application to XXX-XX-4567 from XXX-XX-4567. I observed Maria (AMEZCUA) making this change.

- g. I was further told that I would work packing onions from 7:30 p.m. to 4:30 a.m., seven days per week for \$7.00 per hour. (The actual Oregon minimum wage amount is \$7.80 per hour.)
- h. I was also instructed to report to American Staffing once per week to receive my paycheck and that I should report to Fernando LNU at Fresh Del Monte Produce for further instructions on my job duties.
- i. Diana HERNANDEZ and Maria (AMEZCUA) both stated that they have a waiting list for employment at Fresh Del Monte Produce. If I miss work or fail to be productive I will lose my job in favor of someone on the list.

26. We made a copy of the CI's application for employment, and he stayed in the area in order to report to work at 7:30 p.m. at Fresh Del Monte Produce. Surveillance at American Staffing and contact with the CI was terminated at approximately 6:15 p.m.

27. On 1/31/2007, at approximately 10:30 a.m., the CI called me via telephone and provided the following information regarding his observations after working his first shift at Fresh Del Monte Produce:

- a. He stated that there were between 380-400 people who worked the 7:30 p.m. to 4:30 a.m. shift.
- b. He stated that he was told to bring his paperwork to Fernando, when he arrived at Fresh Del Monte Produce, he was directed to a woman named Rosa LNU, who took his paperwork that was provided to him by American Staffing.
- c. He stated that there are about 20 shift supervisors on duty during the shift, and they are extremely rude and constantly yelling at the employees.
- d. He stated that he observed 3 or 4 young boys that were working the same shift and was certain that they could not be over 14 or 15 years of age.
- e. He stated that several of the people who are working production speak neither Spanish nor English, but rather an Indian dialect that he doesn't understand.
- f. He stated that he observed about 3 inches of water on the floor of the production area, and although the workers were supposed to be provided boots, the majority of them are in regular sneakers or shoes that are soaked with cold water.

- g. He stated that there are also several other than Mexican nationals who work on the production floor who are from countries like Guatemala and El Salvador.
- h. He stated that his direct supervisors are Santos (later identified as SANCHEZ-Coria, Santos) and Maria LNU.
- i. He stated that Jose BUENROSTRO was present during the shift and is also a supervisor on the production floor.
- j. He stated that it takes about 45 minutes after the shift is over to return all the equipment used during the production process, and none of the workers are paid for this time.

28. He observed the following extremely unsanitary and dangerous conditions:

- a. Electrical extension cords that are beneath the standing water.
- b. The proximity of the workers who are wielding large knives to each other.
- c. The supervisors were not diligent about the cleanliness of the vegetables before boxing them up for shipment.
- d. The employee bathroom and cafeteria are extremely dirty and not cleaned on a regular basis.

He was told to report back to work on February 1, at 5:30 a.m.

29. On 2/1/2007, at approximately 10:00 a.m., ICE Agent Rene' Tichenor and I interviewed the CI at the ICE office in Portland, Oregon. The following information was obtained:

- a. He stated that he had just worked 4 hours at the Del Monte plant beginning at 5:30 a.m., and was told to come in again at 7:30 p.m.
- b. He stated that Santos is actually in charge of the production floor and in a higher position than Jose BUENROSTRO.
- c. He stated that he saw Diana HERNANDEZ from American Staffing at the Fresh Del Monte Produce production area that morning.
- d. He stated that the employees from American Staffing wear white uniforms with an American Staffing insignia on the production floor, while the supervisors from Fresh Del Monte Produce wear blue uniforms with the Del Monte logo.

- e. He stated that while he was on a break, he spoke to one of the younger looking males who he had observed working the day before and was told by that worker that he was actually a 15-year old boy who had submitted fraudulent papers saying that he was 18 years old to American Staffing in order to be able to work. Since the boy spoke an Indian dialect, and did not understand English or Spanish, the CI used a translator during the conversation.

30. On 2/5/2007, the CI placed a call to American Staffing and spoke with both HERNANDEZ and AMEZCUA. HERNANDEZ answered the phone and the CI told her that he wanted to speak to Maria, but first wanted her advice on his chance of applying for management one day at Fresh Del Monte Produce, because of his hard work and English speaking ability. HERNANDEZ told him that to be a manager at Fresh Del Monte Produce, you need to have 'real' immigration papers and that if a position becomes available, he should apply. She then put AMEZCUA on the phone. At this time, AMEZCUA instructed the CI to come to the American Staffing office and to bring \$80.00 to her while at work so she could purchase a fraudulent Social Security Card for his use. She stated that she did not have \$80.00 available to pay for the card in advance. The CI agreed to come to American Staffing on February 6, 2007, to give AMEZCUA \$80.00 so she could purchase a fraudulent Social Security Card for his use in maintaining employment at Fresh Del Monte Produce.

31. On 2/6/2007, SSA/OIG Special Agent Elias Papoulias and I met with the CI. He was provided with \$80.00 in purchase money and was equipped with audio and video recording equipment. ICE Special Agents Reese Berg, Todd Clements, Ted Weimann, Glenn Dimmick and SSA/OIG Special Agent Elias Papoulias and I established a surveillance/safety perimeter at American Staffing at 3:55 p.m. The previously identified silver Mazda bearing Oregon plate 672 CWF was parked in front of the American Staffing offices on N Lombard Street. The following observations were made by the surveillance/perimeter team:

- a. The CI entered the American Staffing Offices at 4:13 p.m.
- b. He exited at 4:15 p.m. after being informed that AMEZCUA is out sick.
- c. He re-entered American Staffing at 4:23 p.m. to request AMEZCUA's contact information.
- d. He departs at 4:24 p.m. after being told AMEZCUA's personal contact information is not available.

- e. The CI receives AMEZCUA's contact information from ICE (503) 669-4678. A call to AMEZCUA is made at 4:30 p.m. AMEZCUA states that she is home sick and will not be able to meet him on this date.
- f. At 5:00 p.m., a second call is placed to AMEZCUA. AMEZCUA directs the CI to drive to Su Casa Imports, located at the intersection of SE Stark and 162nd Avenue in NE Portland. Once the CI arrived in the parking area, AMEZCUA instructed him to call her back at the same number. She would then call the counterfeit document manufacturers working in the parking area of Su Casa Imports and direct them to the CI's vehicle so he could obtain a Social Security Card.
- g. The CI re-contacts AMEZCUA at 5:43 p.m., after arriving in the area of Su Casa Imports. AMEZCUA now instructs him to drive to 181 Plaza located at the intersection of 181st and Burnside to pick up her husband [name not provided]. It is later determined that AMEZCUA lives at 18245 East Burnside Street, Apartment 10 in Portland, Oregon. Her husband would then accompany the CI to Su Casa to facilitate the document purchase. For safety and tactical reasons, Special Agent Trimm instructed the informant to decline this offer.

32. The CI re-contacted AMEZCUA at 5:58 p.m. to inform her that he does not know this particular part of town well and is lost, and that he will just call her at a later time to make arrangements to get the card. AMEZCUA states that she understands and offers to buy the card for him in advance. She instructs the CI to come to American Staffing on Friday, February 9, 2007, with \$80.00 to pick up the card.

33. On 2/9/2007, the CI met with AMEZCUA at the American Staffing office located at 8926 North Lombard Street in Portland, Oregon. ICE Senior Special Agent Todd Clements, SSA/OIG Special Agent Elias Papoulias and I conducted surveillance of the interaction and equipped the CI with video and audio equipment, which recorded the interaction.

34. At approximately 11:15 a.m., the CI entered the American Staffing office to meet with AMEZCUA to purchase a counterfeit Social Security card. He was told on a previous occasion by AMEZCUA that the price for the card would be \$80.00, which was provided to him by SSA/OIG. The CI gave the \$80.00 to AMEZCUA and was told by AMEZCUA that she would have the card later that evening and that he could pick it up the next day or sometime next week. At approximately 11:20 a.m., he left the American Staffing office and surveillance ended.

35. On 2/13/2007, at approximately 8:30 a.m., the CI placed a phone call to AMEZCUA to ask if he could come to the American Staffing office to pick up the card. AMEZCUA said that it was ready and that he could come to the office at around 11:30 a.m. to pick it up.

36. At approximately 11:18 a.m., surveillance was conducted at the American Staffing office by ICE Special Agents Todd Clements, Glenn Dimmick and I. This interaction was also recorded both on video and audio. The CI entered the American Staffing office and met with AMEZCUA. AMEZCUA handed him a folded American Staffing orientation document with a counterfeit Social Security card with the number XXX-XX-4567 (Social Security checks revealed that this is a fictitious number). This is the same number that was written on his I-9 form and Del Monte application by AMEZCUA. AMEZCUA also told him that the actual cost of the counterfeit document was \$40.00, and handed him the \$40.00 difference from the previous \$80.00 which was given to her on 2/9/2007 by the CI. At approximately 11:21 a.m., the CI left the American Staffing office and arrived at the ICE office in Portland, Oregon at approximately 11:48 a.m. I watched the CI drive from the American Staffing Office to the ICE office without stopping at any other location. The CI provided Special Agent Glenn Dimmick and I with the Social Security card wrapped in the American Staffing document, and the \$40.00 that was given to him by AMEZCUA. AMEZCUA also stated that she could provide him with counterfeit Immigration and Social Security documents for any of his friends in the future and that a set of one Social Security card and one Permanent Resident Alien card would be \$80. The CI told AMEZCUA that he would call her at a later date to arrange a deal.

37. On 3/15/2007, at approximately 10:30 a.m., ICE Special Agents Ted Weimann, Glenn Dimmick and I conducted surveillance of the CI executing a second document buy with AMEZCUA, at the direction of ICE. The Social Security Administration-Office of the Inspector General provided him with \$160 for the document purchase, and ICE provided him with two names, photos and dates of birth in a white envelope, in which he subsequently provided to AMEZCUA-Salvador at the American Staffing office in Portland, Oregon. This interaction was recorded by ICE and the following information was obtained:

- a. AMEZCUA opened the envelope and thumbed through the money and photographs.
- b. She stated that she would obtain the cards later that evening and would call the CI when they were ready.
- c. AMEZCUA also produced a separate counterfeit resident alien card and Social Security card as an example to the CI and told him that she had them made by her source for someone else the previous day. She stated that the cards represent the quality of the ones that she would be acquiring for him.

- d. AMEZCUA told the CI that when he returned to her office to pick up the cards, he should not open the cards inside the American Staffing office, but that he should wait until none of the other employees present could see, and that he should keep it a secret.
- e. AMEZCUA provided him with her personal cell phone number on a small piece of paper: (503) XXX-5690.

38. ICE Special Agent Weimann confirmed through an Oregon DMV photograph that the woman inside the American Staffing office talking to the CI during this surveillance was AMEZCUA.

39. Approximately five minutes later, the CI was seen leaving the American Staffing office and subsequently drove to the Fresh Del Monte Produce facility, as instructed by ICE to inquire about the lack of work in recent weeks. At approximately 10:45 a.m., the CI entered the Fresh Del Monte Produce facility and made contact with an individual he had spoken to on previous occasions known only as 'Lourdes.' Information obtained by ICE determined 'Lourdes' to be CAMACHO, Lourdes, DOB: 10/24/1977, ODL:XXX0518, employed as the Regional Operation Manager of American Staffing Resources.

40. During the interaction with CAMACHO, the CI was told that Fresh Del Monte Produce currently has enough production workers and that they are in need of forklift operators. CAMACHO also provided the CI with her business card and told him that she would call him at a later date to discuss the possibility of applying for the forklift position after speaking to BUENROSTRO, Jose about it. CAMACHO told the CI that BUENROSTRO will be working at the American Staffing office located on Lombard Street in Portland until HERNANDEZ, Diana returns from Mexico. He exited the Fresh Del Monte Produce facility at approximately 10:50 a.m.

41. On 3/19/2007 at approximately 8:30 a.m., the CI placed a phone call to AMEZCUA and was told that he could pick up the cards anytime at the American Staffing office. The CI said he would be there the same day to pick them up.

42. At approximately 10:25 a.m., SSA/OIG Special Agent Elias Papoulias and I conducted surveillance of the CI entering the American Staffing office in Portland, Oregon and meeting with AMEZCUA. I equipped him with both video and audio surveillance for this interaction. At approximately 10:29 a.m., the CI exited the American Staffing office with the following documents:

- a. One counterfeit permanent resident alien card bearing the name ROCHA-Aguilar, Saul – DOB 7/19/1971 and Alien registration number A XX-XXX-078. (CIS checks revealed that this alien registration number actually belongs to KATMEROS, Vasilios, a Greek citizen).

- b. One counterfeit Social Security card bearing the name ROCHA-Aguilar, Saul and Social Security number XXX-XX-8907. (SSA/OIG checks revealed that this number actually belongs to a non-Hispanic female).
- c. One counterfeit permanent resident alien card bearing the name CISNEROS-Plata, Jorge – DOB 4/20/1951 and Alien registration number A XX-XXX-895. (CIS checks revealed that this alien registration number actually belongs to EJIOGU, Bernard, a Nigerian citizen).
- d. One counterfeit Social Security card bearing the name CISNEROS-Plata, Jorge and Social Security number XXX-XX-7887. (SSA/OIG checks revealed that this number actually belongs to a non-Hispanic female).

43. The counterfeit documents that were purchased by the CI from AMEZCUA were returned with the original photographs and names/DOB's provided to him by ICE, which match the aforementioned documents exactly. During the CI's conversation with AMEZCUA, the following information was obtained:

- a. AMEZCUA also told the CI that she would be able to make more documents if he needed them and that they are no longer being made at Su Casa Imports in Portland, Oregon, but from another source with whom she has contact
- b. AMEZCUA stated that he could talk to Lourdes at the Fresh Del Monte facility about the lack of recent work, and mentioned that Lourdes is of Cuban heritage.

44. After the CI's meeting with AMEZCUA, I instructed him to go to Del Monte and speak with CAMACHO, Lourdes about the work situation there and why he hasn't been called to work in weeks. At approximately 10:40 a.m., the CI arrived at the Fresh Del Monte Produce facility and witnessed the following:

- a. CAMACHO was present in the front office with BUENROSTRO, Jose and a Caucasian woman referred to as 'Brenda'.
- b. CAMACHO told him that he could wait and speak with BUENROSTRO about the forklift position at Fresh Del Monte Produce. He noticed that CAMACHO's demeanor with him had changed and attributed the change to the presence of 'Brenda'.
- c. While waiting for BUENROSTRO, he entered the production area and noticed approximately 300 workers present.

- d. The CI returned to the waiting room and spoke with BUENROSTRO and was told that he would be checking on the forklift position, but Fresh Del Monte Produce currently has no need for production workers. BUENROSTRO told him that he would call him at a later date.

45. At approximately 10:55 a.m., the CI exited the Fresh Del Monte Produce facility and surveillance was terminated.

46. On 4/24/2007, at approximately 5:00 p.m., SSA/OIG Special Agent Elias Papoulias and I interviewed Ortega-Milian, Jose DOB:X/XX/1955, a former Maintenance Manager/Supervisor at Fresh Del Monte Produce from March 2005-February 2006. Ortega is currently a sworn reserve police officer in the city of Beaverton, Oregon. During the course of the interview, the following information was provided by Ortega:

- a. Ortega confirmed that he was aware that American Staffing is currently providing production workers to Del Monte Fresh Produce in Portland, Oregon and has been doing so since January 2006. He knows this because American Staffing took over for a previous staffing agency before he left in February 2006. He was also told by SANCHEZ, Santos that Fresh Del Monte Produce is currently still using American Staffing Resources. During his time at Fresh Del Monte Produce (FDMP), he became friends with other FDMP managers identified as SANCHEZ, Santos, Connie LNU (possibly CONCON, Connie), Freddy LNU (ICE has determined that this is most likely SANJINES, Freddy, a suspect in previous ICE case# PT13CR07PT0006 as a possible narcotics trafficker), Dave LNU (possibly ROTHWELL, David), and Felix ZARAZUA.
- b. ICE has determined that Felix ZARAZUA, is also known as Jose de Jesus Lopez-ZARAZUA, DOB: X/XX/1966, ICE Alien registration # XX XXX 627. This information was obtained by ICE SSA Rene Tichenor by conducting Immigration and criminal history checks through various databases. SSA Tichenor also ordered ZARAZUA's Alien registration file to her custody and confirmed ZARAZUA's illegal status. ZARAZUA was last deported on 1/13/1995. He was convicted on 2/28/1991 for HEROIN DISTRIBUTION and sentenced to 5 years in prison. FBI# XXXXX7KA3. The photos in ZARAZUA's alien registration file match his Oregon Department of Motor Vehicles Driver's License photograph (ODL# XXX0353) issued to him on 2/2/2001. On 6/5/2007, ICE Senior Special Agent John Gerardo met with Ortega to confirm that the aforementioned Oregon Driver's license photograph was in fact, ZARAZUA, Felix, his former co-worker at Fresh Del Monte. Ortega replied in the affirmative. On May 9, 2007, SSA/OIG Special Agent Elias Papoulias reviewed a series of Social Security Administration (SSA) No-Match letters which had been issued to Del Monte Fresh Produce over the past several years to determine whether the company had been notified of the continued presence of ZARAZUA at

their Portland, Oregon processing site. ZARAZUA is an illegal alien with a history of prior deportation. Employer Correction Request letters, known as no-match letters, are issued to any employer who lists a name and Social Security number on a W-2 which does not match the information contained in the SSA database. The review showed that several letters had been issued to Del Monte Fresh Produce concerning ZARAZUA's employment dating back to 2002 as follows:

- i. A March 13, 2002, letter informing Del Monte Fresh Produce, 800 Douglas Entrance, Coral Gables, FL, that several employees were working under Social Security numbers which according to SSA records did not match their name as shown on the submitted W-2 for tax year 2001. Included on this list was Social Security number XXX-XX-4254. Prior investigation has shown that ZARAZUA has consistently used this number for employment at Del Monte Fresh.
- ii. A March 13, 2003, letter informing Del Monte Fresh Produce, 800 Douglas Entrance, Coral Gables, FL, that several employees were working under Social Security numbers which according to SSA records did not match their name as shown on the submitted W-2 for tax year 2002. Included on this list was Social Security number XXX-XX-4254. Prior investigation has shown that ZARAZUA has consistently used this number for employment at Del Monte Fresh.
- iii. An April 7, 2004, letter informing Del Monte Fresh Produce, 800 Douglas Entrance, Coral Gables, FL, that several employees were working under Social Security numbers which according to SSA records did not match their name as shown on the submitted W-2 for tax year 2003. Included on this list was Social Security number XXX-XX-4254. Prior investigation has shown that ZARAZUA has consistently used this number for employment at Del Monte Fresh.
- iv. A March 17, 2005, letter informing Del Monte Fresh Produce, 800 Douglas Entrance, Coral Gables, FL, that several employees were working under Social Security numbers which according to SSA records did not match their name as shown on the submitted W-2 for tax year 2004. Included on this list was Social Security number XXX-XX-4254. Prior investigation has shown that ZARAZUA has consistently used this number for employment at Del Monte Fresh.

- v. A March 10, 2006, letter informing Del Monte Fresh Produce, 800 Douglas Entrance, Coral Gables, FL, that several employees were working under Social Security numbers which according to SSA records did not match their name as shown on the submitted W-2 for tax year 2005. Included on this list was Social Security number XXX-XX-4254. Prior investigation has shown that ZARAZUA has consistently used this number for employment at Del Monte Fresh.
- c. Ortega stated that Dave LNU was the head boss at the facility, Freddy LNU was a production manager, SANCHEZ, Santos was a production manager, Connie was a sales manager, and ZARAZUA was the operations manager at the time of his employment.
- d. Ortega is still very close friends with SANCHEZ, and they still talk on a regular basis about what is happening at FDMP. He was told by SANCHEZ that ZARAZUA left 6-8 months ago to work for FDMP in Sanger, California, as the production manager there. SANCHEZ subsequently took over as Operations Manager at the FDMP Portland facility.
- e. Ortega stated that the busiest production times at FDMP is between March-September.
- f. Ortega stated that he estimated between 200-500 undocumented workers were working during his time of employment.
- g. Ortega stated that there were only two shifts scheduled during a typical FDMP work day. The first shift begins between 8:00 a.m. to 9:00 a.m. and ends at around 6:00 p.m. At 6:00 p.m., a cleanup crew comprised of mostly Guatemalans arrives and prepares the area for the midnight shift, which begins at approximately 9:00 p.m.
- h. Ortega stated that there was an obvious gang presence at FDMP, composed mostly of 18th street gang members that numbered between 10-15. There was evidence of gang "tagging" in the restrooms and cafeteria areas at FDMP.
- i. Ortega stated that there were between 25-30 juveniles employed at FDMP, and that anyone with common sense could tell they were minors. He also stated that the FDMP managers knew that they were minors by their appearance.

- j. Ortega stated that during his time at FDMP, he heard various complaints from the other workers that were not being paid for the hours they worked. He stated that FDMP avoided paying overtime, and wouldn't allow anyone to be paid for more than 40 hours in a work week, although they were required to work well over 40 hours in a given week. He further stated that they were reluctant to complain, because of their illegal immigration status.
- k. Ortega stated that there were several factors that contributed to unsafe conditions at FDMP that included: forklift operators were not certified or trained properly; the electrical components were unsafe and exposed; unqualified people were running various other dangerous machinery with no training and little instruction. Ortega also stated that during the course of a typical work shift, there was constant yelling by the supervisors to the production staff that included threats of being fired if they did not work as hard as expected.
- l. While ZARAZUA was the production manager at FDMP, he was able to watch via video camera all aspects of the operations from his office and that there were cameras at several places within the facility.
- m. Ortega stated that he estimated that between 80%-90% of the production workers were undocumented illegal aliens from countries other than the United States.
- n. Ortega estimated that the staff was split between 50% Mexican nationals and 50% Guatemalan nationals, and that of those workers, approximately 75% were female.
- o. Ortega recalled that sometime in the summer of 2006, SANCHEZ's wife had been deported by ICE to Mexico, and that SANCHEZ made a trip to the southern border to pick her up and return to Oregon. He did not know exactly why SANCHEZ's wife had been targeted by ICE.
- p. During several conversations with ZARAZUA, Freddy LNU and SANCHEZ, during Ortega's period of employment at FDMP, when the hypothetical scenario of Immigration agents showing up at FDMP to execute an immigration raid was posed, everyone agreed that American Staffing Resources would "take the hit" due to the fact that they did the actual hiring, and that FDMP managers could just claim ignorance of their knowledge of the production workers' illegal status. Ortega stated that he was present during these conversations and that they were sporadic and occurred several times while he was working at the FDMP facility. Ortega stated that all of the managers were aware that almost none of the employees spoke English, and were reluctant to report pay discrepancy

issues to management, because it was visually obvious, and often talked about.

- q. Ortega believed that the reason SANCHEZ continues to provide information to him, other than on the basis of their personal relationship, is that SANCHEZ is aware of Ortega's status as a reserve police officer in the local area and may want his help to get rid of some of the problem people currently employed at FDMP. Ortega stated that these people may include problem makers, complainers, lazy workers, possible gang members and drug dealers.
- r. On the evening of April 23, 2007, Ortega had a telephone conversation with SANCHEZ. SANCHEZ was asked if they were still hiring undocumented illegal workers. Ortega also inquired if SANCHEZ could hire some undocumented friends for him who will be coming up from California. SANCHEZ stated that he could get them hired at FDMP, and to let him know when they arrive.
- s. Ortega concluded the interview by providing me with an outline of the inside of the FDMP facility and the assurance of his willingness to assist ICE with any future investigative action as it pertains to this case.

47. On 5/4/2007, ICE Senior Special Agent Clements and I equipped the CI with both audio and video surveillance equipment. The CI was instructed to enter the Fresh Del Monte Produce located in Portland, Oregon at approximately 9:05 a.m. He met with CAMACHO, Lourdes and Fresh Del Monte Produce manager identified as Luis LNU and the following information was obtained after a debrief of the CI:

- a. The CI asked CAMACHO if the reason he hasn't been called to work back on the Fresh Del Monte Produce production line was because of the fact that he presented an invalid Social Security number to American Staffing. CAMACHO replied that a valid Social Security card is not needed to be employed by American Staffing to work in Fresh Del Monte's Produce production area, but if he wanted to work for Fresh Del Monte Produce directly, he would need a valid Social Security card to be on their payroll. SA-348-PT told CAMACHO that he had forklift experience and wanted to return to Fresh Del Monte Produce in that capacity. CAMACHO then referred him to speak with BUENROSTRO, Jose at the American Staffing office located on Lombard Street.
- b. The CI also met with Luis LNU, who also told him that not having a valid Social Security card is not a problem to work in the production area, and referred him to CAMACHO.

- c. While present in the Fresh Del Monte facility, the CI obtained good views of the Fresh Del Monte production area via the video surveillance, but was approached by an unidentified female manager who asked him to return back to the American Staffing office.

48. The CI left the Fresh Del Monte Produce facility at approximately 9:20 a.m., and was instructed by ICE to drive to the American Staffing office located at 8925 North Lombard Street in Portland to meet with BUENROSTRO to discuss the possibility of returning to Fresh Del Monte Produce as a forklift operator. At approximately 9:26 a.m., he entered the American Staffing office to meet BUENROSTRO, and the following information was obtained:

- a. BUENROSTRO appeared to be busy training someone on the office computer system, and the CI asked BUENROSTRO if it was possible to speak with him in private. BUENROSTRO agreed, and the CI told him that he would very much like to return to work as Fresh Del Monte Produce as a forklift operator, and wanted to know if there was an issue with him having previously submitted a false Social Security number to American Staffing.
- b. BUENROSTRO assured him that having a false Social Security number is not a problem with being employed at Fresh Del Monte Produce, but he just doesn't want to hear about it. The CI told BUENROSTRO that he could go and get a different number if BUENROSTRO wanted him to, but that he really needs to begin working soon. BUENROSTRO told him that he will speak to the forklift manager about it and to call him back on 5/9/2007, and he should be able to get him a job operating a forklift at least on Fridays.

49. The CI exited American Staffing at approximately 9:30 a.m. and surveillance was terminated. The CI was debriefed by SA Clements and I at approximately 9:34 a.m. at the Customs Border Protection facility located at Terminal 6 in Portland, Oregon.

50. On 5/2/2007, the Willamette Week published an article about Fresh Del Monte Produce, which is the facility that is the focus of this ICE investigation. The Willamette Week is a free alternative weekly newspaper published in Portland, Oregon. It features reports on local news, politics, and culture. It estimates that its weekly circulation is 90,000. The article of interest was written by Beth Slovic, a staff writer, at Willamette Week. The article can be viewed online at: <http://www.wweek.com/editorial/3325/8915/>. There are no indications that there was an ICE leak and it is believed that the Willamette Week developed their story independently.

51. In the story, journalist Beth Slovic worked undercover at the Fresh Del Monte Produce Portland, Oregon facility for three days as a quality assurance supervisor and observed various issues with the legality of Fresh Del Monte's work force and safety conditions. The following quotes by Slovic were taken from this aforementioned article as it pertains to violations of federal law and this ongoing investigation:

- a. *"It's been a long journey from the farm to this Del Monte Fresh Produce plant in North Portland, where raw produce arrives on trucks in 600- to 1,000-pound boxes and leaves in plastic containers stacked into new boxes. On one recent afternoon, the broccoli was from California, the fruit from Costa Rica, Guatemala and Mexico."*
- b. *"Curiously enough, the workers were from equally distant locations: Honduras, El Salvador, Guatemala and Mexico. Men and women, they included teenagers and those in their twilight years, people who had traveled thousands of miles to end up here."*
- c. *"Some might call their journeys decisions born of courage and limited economic options at home. Others would call them illegal aliens, lawbreakers exploiting a shattered immigration policy in their adopted land."*
- d. *"It's close to freezing cold inside this football-field-sized warehouse in North Portland. I know because I've spent three days working at the plant, and on a recent Friday at 8 am the thermometer registers 36 degrees Fahrenheit. I'm regretting not having brought a hat to wear under my green hairnet. I can see my own breath and the respiration of the other 24 workers beginning their eight-hour shifts."*
- e. *"Two weeks ago I was hired as a quality assurance supervisor at Del Monte, which means I'm monitoring the size, sweetness and expected shelf-life of the chunks of fruit taking shape on the plant's production floor. I'm also watching to make sure there's enough chlorine in the water to kill any potentially dangerous microbes when the produce is washed in the large tanks that run across the production floor."*
- f. *"For this, I earn \$8.50 an hour, 70 cents more than Oregon's minimum wage. I am white, and the only other workers on the production floor who aren't Latino are four other women who also work in the quality assurance department. Three of them are Ukrainian, and the fourth is from Rwanda. I earn more than the workers cutting and packaging the produce, and some of my work can be performed from the comfort of the company's lab, where there's heat and samples to nibble on. In one day, between 200 and 300 production workers-chopping everything from green peppers to carrots to pineapple-will clock in and out at the plant."*

- g. *“Not one of the production workers appears to speak fluent English, which is a hint, although hardly proof, that their arrival in the United States may have been clandestine. Three of them volunteered to me on our lunch break that they don't have papeles (papers), a sort of polite shorthand for saying they are illegal immigrants. Despite this, one of them tells me she has been cutting broccoli for Del Monte for four years. The cold and the repetition bother her, she says. But her friend from a neighboring village in Veracruz tells me there are too few jobs for women in Mexico. “We have to take care of the children, but they don't pay us for that there,” she jokes in Spanish.”*
- h. *“For some of the workers, though, this salary is enough to support relatives in the United States and send money to family at home. One laborer, a man in his 20s, tells me he has worked at Del Monte for three years. He says he earns about \$600 every two weeks and that he and his wife, who works as a waitress, send \$500 back to Mexico every 15 days. He, too, volunteers that he doesn't have papeles. Indeed, four years ago he came to the United States by walking across the desert with a coyote, a paid guide, he says. Once inside the country he rode in a van to Los Angeles, where his family paid \$1,000 to the coyote, who then allowed the man's release.”*
- i. *“To make it through their shifts in the cold, the workers are all wearing winter hats under their hairnets. They have warm liners on under their blue rubber gloves. Under their white lab coats, they're wearing bulky sweatshirts, winter jackets and multiple layers of pants and socks. Many of them are also wearing blue plastic aprons, which cost \$1 at the plant and are generally reworn until they're damaged. And while an older woman hands out the disposable gloves for free from the sprinkler room that doubles as a supply closet, the liners cost 75 cents a pair and are nonetheless required, according to the employee handbook.”*
- j. *“As they work, water that's being used to wash the fruits and vegetables overflows from bins in every direction and runs down the sloped floors of the factory. There are drains running the length of the production floor. Yet moisture creeps up my pant legs, making me uncomfortable and chilly despite the fact that I'm wearing two pairs of socks under rubber Land's End rain boots, as well as a double layer of long underwear.”*

- k. *"I quickly learn that the cold inside the plant attacks workers' toes and fingers first. Our noses run. But nowhere in the three safety videos I'm asked to watch on my first day is there any mention of this unsanitary problem. In one video, a man with a striking resemblance to a young-looking Jerry Seinfeld instructs me in proper hand washing. I'm left to my own devices to figure out how to wipe the snot running down my face without contaminating the rubber gloves I've just cleaned with soap and water."*
- l. *"Last August, the Oregon Law Center (a legal aid group that receives no federal funding and can therefore represent any client regardless of his or her immigration status) announced that Del Monte had agreed to a \$400,000 class-action settlement with workers who had been employed at the North Portland plant between 2003 and 2005. According to the suit, an estimated 1,800 workers over three years allegedly had been denied their full wages, including overtime, in a battle that involved the local plant's former staffing agency. That agency, Quality Manual Labor Inc., is now out of business, and a new staffing agency, American Staffing Resources, has taken over the job."*
- m. *"According to court documents, several workers complained to Quality Manual Labor in December 2004 about inadequate safety measures at Del Monte, including the lack of proper gloves for workers who routinely handled cold, wet produce. All eight were fired, and in response they sued Del Monte and the staffing agency."*
- n. *"The class-action settlement grew out of that first dispute. It further alleges that Del Monte and the staffing agency failed to give workers adequate breaks, didn't pay workers while they were putting on and taking off their protective clothing (which is required under Oregon law) and didn't pay overtime wages when workers put in more than 10 hours in a single day. Regardless of the total number of hours worked in a week, food-processing workers who log more than 10 hours in one day must be paid overtime, according to Oregon law."*
- o. *"In the settlement, Del Monte denied wrongdoing, and the company turned around and sued Quality Manual Labor for breach of contract, arguing the staffing agency was responsible for the employees. Nowhere in the dispute was the possible hiring of undocumented immigrants at issue."*
- p. *"It is, nonetheless, a violation of Oregon regulations to charge workers for mandatory safety equipment. And I noticed several workers put on their lab coats and hairnets before clocking in, although putting on required safety gear is considered work, too, under Oregon law."*

- q. *“That means employees should be suiting up while on the clock, according to Cunningham-Parmeter, who represented the workers in the discrimination case and the class-action suit.”*
- r. *“Del Monte declined to comment on its hiring practices, but American Staffing Resources' Griffin says all employees must go through an intensive application process intended to ensure they have all required documentation proving their eligibility for employment. "I can't say that things don't pass through," Griffin says. "If that's the case, then someone is defrauding us.”*

52. On January 11, 2007, at approximately 2:00 p.m., Immigration & Customs Enforcement (ICE) Senior Special Agent (SSA) Rene Tichenor and Social Security Administration-Office of Inspector General (SSA-OIG) Special Agent Elias Papoulias went to the State of Oregon Employment Division, 875 Union Street NE, Salem, Oregon, and met with Central Operations Supervisor (COS), Rob Edwards. SSA Tichenor and Papoulias explained to COS Edwards the information received on DEL MONTE FRESH PRODUCE and AMERICAN STAFFING RESOURCES and requested the release of information on these companies' employees.

53. After receiving administrative subpoenas from SSA Tichenor, COS Edwards ran computer checks on both businesses. He found that according to third quarter 2006 wage detail report for DEL MONTE FRESH PRODUCE, the business reported 41 employees, representing permanent and management level employees. COS Edwards explained that seasonal employers often obtain their workforce through the use of a Professional Employee Organization (PEO). PEOs essentially lease employees to the hiring organization with a built-in fee to cover administrative costs. SSA Tichenor and SA Papoulias stated that that would make sense since DEL MONTE FRESH PRODUCE instructs new hires to go to AMERICAN STAFFING RESOURCES to get signed up for work at DEL MONTE FRESH PRODUCE.

54. When COS Edwards ran AMERICAN STAFFING RESOURCES through the computer, he came up with just a status report. The status report stated that according to AMERICAN STAFFING RESOURCES, they have no Oregon employees and therefore, no reported wages. The business requested an Oregon EIN simply for withholdings. COS Edwards discovered through his records checks that STAFFCO MANAGEMENT GROUP, INC., 307 S. Swing Road, Greensboro, North Carolina 27409, owns AMERICAN STAFFING RESOURCES. At that point, SSA Tichenor served an administrative subpoena on COS Edwards for the STAFFCO MANAGEMENT GROUP, INC. employee wage detail reports and individual employee home/address forms. Further investigation revealed that STAFFCO MANAGEMENT GROUP and AMERICAN STAFFING RESOURCES were combined as only AMERICAN STAFFING RESOURCES in January 2007. On January 22, 2007, ICE Senior Special Agent

Todd Clements and I conducted a vehicle license check on the vehicles located in the Fresh Del Monte parking lot. Several of the registered owners of the vehicles matched exactly the names on the STAFFCO MANAGEMENT GROUP list of employees for the 3rd quarter of FY 2006. ICE currently has no other information that AMERICAN STAFFING RESOURCES provides employees for any Oregon company other than Fresh Del Monte Produce.

55. SSA Tichenor and ICE SSA Todd Clements then conducted a thorough analysis of the information provided by COS Edwards. The statistics were gathered from the employee wage detail reports and individual employee home/address forms. The information on these forms was reported to the State of Oregon Employment Division by STAFFCO MANAGEMENT GROUP, INC. The information on the individual employee home/address form, or also known as the ECUS – ES/UI Customer Information form (ECUS), is an optional form. The employees do not have to supply this information to the employer, who in turn, does not have to report it to the Employment Division. In most cases, the employees of STAFFCO MANAGEMENT GROUP, INC. did not supply this information. If the employee did fill out the form, the following information could be obtained from the ECUS: Social Security Number, the employee's name, home address, telephone numbers, the employee's date of birth, the primary language the employee speaks, the employee's highest grade completed in school and if the employee is or is not an United States citizen, among other things.

56. The following statistics were calculated by conducting Immigration, National Crime Information Center (NCIC), Deportable Alien Control System (DACS) and Social Security database checks with the information provided:

- a. Total number of employees: 596
- b. Employees that had matching, valid Social Security Numbers: 48
- c. Employees that were using someone else's valid Social Security Number: 463
- d. Employees that were using a Social Security Number that is invalid (does not exist): 85
- e. Employees that were using the same Social Security Number as someone who had been previously deported from the United States: 4
- f. Employees that were using the same Social Security Number as someone who had been previously deported from the United States and have a criminal record: 3

- g. Employees that were using the same Social Security Number as someone who had been previously deported from the United States as an aggravated felon: 2 - a) Benjamin Urena-Clara Alien registration # XX XXX 799 a) Juan Cotoc, also known as Juan Cristobal Sanchez-Gonon and JuanAntonio Machic-Gonon Alien registration # XX XXX 784
- h. Employees that were using the same Social Security Number as someone who had been ordered deported by an Immigration Judge and just need to be arrested and deported and have outstanding warrants: 3
- i. Employees that were using the same Social Security Number as someone who had been previously apprehended by ICE and their status in the US is illegal: 3
- j. Employees that were using the same Social Security Number as someone who had been previously apprehended by ICE, their status in the US is illegal, and they have a criminal record: 1
- k. Employees that were using the same Social Security Number as someone who had their status applications denied and their employment authorization documents (EAD) expired/cancelled: 8- (one of these employees has a criminal record)
- l. Employees that were using the same Social Security Number as someone who had been issued a Notice to Appear document by ICE and are awaiting hearings before the Immigration Judge: 2- (one of these employees has a criminal record)
- m. Employees that were using the same Social Security Number as someone who had pending applications with Immigration but do not have current, valid EADs: 4- (one of these employees has a criminal record)
- n. Employees that were using the same Social Security Number as someone who had pending applications with Immigration but it is unclear if the employee has a current, valid EADs:1
- o. Employees that were using the same Social Security Number as someone who had pending applications with Immigration but do have current, valid EADs: 2- (both of these employees have criminal records)
- p. Employees that were using the same Social Security Number as someone who had not been apprehended previously by ICE but have a criminal record that lists their place of birth as either Mexico or Guatemala: 9

- q. Employees that were using the same Social Security Number as someone who is currently in a correctional facility on criminal charges: 1- Juan Solano-Quintana, A XX XXX 484, for Murder, place of birth is Mexico
- r. Employees that were using the same Social Security Number as persons who are possible denials, absconders or visa violators but more information is needed to verify this information: 5
- s. Employees that were using the same Social Security Number as someone who had been possibly previously deported from the United States but more information is needed to verify this information: 6- (one employee, if it is the subject, has a sex offense arrest)

57. As previously mentioned, on the ECUS form, STAFFCO MANAGEMENT GROUP, INC. could report the primary language of their employee and whether or not their employee is or is not a United States citizen. Again, most of the ECUS forms were not completed, as the form is optional; however, the following statistics were obtained from the ECUS forms that were filled out for the STAFFCO MANAGEMENT GROUP, INC. employees:

- a. Employees that listed their primary language as Spanish and that they are NOT United States citizens, information verified with the Social Security Numbers utilized by each employee: 49
- b. Employees that listed their primary language as Spanish and that they are NOT United States citizens, but were verified to be lawful permanent residents of the United States: 4
- c. Employees that listed their primary language as Spanish and that they are NOT United States citizens, but were verified by their Social Security Numbers to be United States citizens: 3 - 1.) Diana Acevedo-Jimenez, 2.) Juana Ventura, 3.)Rafaela Avelleneda
- d. Employees that listed their primary language as Spanish and that they are United States citizens, but the Social Security Number that they are using actually belongs to someone else or does not exist: 6
- e. Employees that listed their primary language as Spanish and that they are United States citizens and their Social Security Numbers validate the claim: 3
- f. Employees that listed their primary language as English and that they are NOT United States citizens, information verified with the Social Security Numbers utilized by each employee: 17

- g. Employees that listed their primary language as English and that they are NOT United States citizens, but were verified to be lawful permanent residents of the United States: 3
- h. Employees that listed their primary language as English and that they are NOT United States citizens, but were verified to have valid Social Security Numbers for the following reasons: 2 - pending applications before DHS,
- i. Employees that listed their primary language as English and that they are United States citizens, but the Social Security Number that they are using actually belongs to someone else or does not exist: 6
- j. Employee that listed his primary language as English, that he is a United States citizen, and his Social Security Number is valid, however his status is only as a permanent resident: 1 - Remigio Diaz
- k. Employees that listed their primary language as English and that they are United States citizens and their Social Security Numbers validate the claim: 10

58. There were three instances where the employees had valid Social Security Numbers issued to them, but the cards are either no longer valid or were not issued for work purposes:

- a. Felipa Avalos' Social Security Number matches; however, on November 17, 1994, her status with Immigration was denied (S2D), invalidating the Social Security Number. Ms. Avalos listed her primary language as Spanish and that she is NOT a United States citizen.
- b. Another employee's Social Security Number matches; however, his asylum application has been denied (AO denied), invalidating the Social Security Number. This employee listed his primary language as English and that he is NOT a United States citizen.
- c. Guillermina Zurita-Mendoza's Social Security Number matches; however, according to the Social Security Administration, her Social Security Number does not authorize her to work legally in the United States.

59. On May 14, 2007, SSA/OIG Special Agent Papoulias and I contacted and interviewed Paul Rodriguez (Date of birth: x/xx/1962), concerning his knowledge of Fresh Del Monte and American Staffing. Rodriguez was recently employed by Fresh Del Monte as a Facilities Maintenance Manager. He was originally hired by the temporary agency which handled production staff employment prior to American Staffing. After being employed for six months in a temporary position and being under paid, Rodriguez complained to management resulting in being moved to full time status as a direct Fresh Del Monte employee and eventually

became the Facilities Maintenance Manager. He was employed by Del Monte for more than three years before being fired after a recent arrest and short jail sentence for domestic violence. Prior to earning a full time position, Rodriguez stated that the original temporary agency and Del Monte exempted the workers from paying taxes, but only paid the employees the post tax rate, pocketing the rest as profit.

60. Rodriguez stated that American Staffing and Fresh Del Monte currently obtain eighty percent of their production labor force from the illegal Hispanic community. The majority of these individuals are either repeat seasonal workers or people who have traveled from Mexico or Guatemala illegally to join family members or friends already employed by the company. Rodriguez had personal conversations with fellow Del Monte managers Felix Lopez (ZARAZUA) and Santos SANCHEZ concerning the large number of employed illegal aliens. He was told the unofficial Fresh Del Monte position was that American Staffing was responsible for employment eligibility verification and that all responsibility for the problem would be blamed on them in case of a law enforcement inquiry or raid. Staffing consists of primarily illegal Mexicans and Guatemalans, some Bosnians and Russians are hired for the quality control staff.

61. Rodriguez stated that after his recent termination Santos SANCHEZ offered to help Rodriguez obtain fake identification including a driver's license, social security card and green card in addition to temporary housing should he wish to start over. Rodriguez is confident that SANCHEZ would hire him back to Fresh Del Monte under a fraudulent identity. Rodriguez stated that SANCHEZ is also actively involved in selling drugs and laundering the proceeds through a store owned by his wife. The store is a Mexican grocery located near the intersection of Lombard and St. Louis Streets in Portland, Oregon. Rodriguez thinks that SANCHEZ has contacts for the fake documents but does not manufacture them himself.

62. Rodriguez went on to state that he was fired by General Manager David Rothwell. Rothwell was also replaced in February 2007 by a new manager transferred in from Florida to address the numerous problems at the Portland, Oregon Fresh Del Monte site. Rodriguez summarized his Fresh Del Monte concerns into four main categories as follows:

63. First, he believes there are serious quality control issues at Fresh Del Monte. He has personally observed management order production staff to replace the expiration date stickers once the produce has expired to reflect new, current dates and then ship the produce. He has also observed management order production staff to pick out caterpillars from Broccoli and then package and ship the tainted produce.

64. Second, as Maintenance Manager Rodriquez repeatedly brought safety concerns to the attention of the General Manager and others. Most of the production force had received no training on the safe operation of the processing equipment. Machines are old and difficult to maintain. Their safety features have been disabled and many are started by plugging and unplugging from the wall since the safety stop buttons are disabled. Rodriquez has dealt with over heated electrical boxes and has observed electrical cords submerged in water or being repeatedly run over by fork lift operators.

65. Third, the company refuses to pay overtime to its employees. Production staff is asked to work up to fifteen hour shifts to meet deadlines and then are sent home for the next day without scheduled hours or pay so their weekly total does not exceed forty hours. They can do this because the work force is almost entirely illegal and are easily fired and replaced if they complain.

66. Fourth, the company alters shipping labels and falsifies shipping reports on a regular basis.

67. Rodriquez believes three to four Mexican gangs are represented at Fresh Del Monte, with a total of ten to twenty members being actively employed by the company through American Staffing. Gang members frequently “tag” the bathroom and cafeteria walls with graffiti. He has also seen discarded drug “baggies” in the bathroom and has observed intoxicated or high employees working on the floor. He observed drug transactions being conducted in the parking lot between employees and the Taco truck servicing the parking area at lunch time. He shared these observations with Fresh Del Monte managers Freddy SANJINES and SANCHEZ.

68. Rodriquez also had a personal conversation with SANJINES concerning the employment of apparent minors on the production floor. SANJINES responded by pointing to a young girl and saying she was the family member of a friend and was fourteen years old. The minors are all related to other current employees and many of them live in the same apartment complex near Pier Park in St. Johns. Some of the illegal aliens employed at the site have been with the company long enough to purchase cars and homes. Jose BUENROSTRO, of American Staffing, helps new arrivals to understand how to apply for credit and establish bank accounts, purchase homes and adjust to living in America.

69. Jose BUENROSTRO is employed by American Staffing and “covers up” many of the companies hiring practices. Former American Staffing employees have been fired for complaining about the hiring of illegal aliens and minors. As the senior person at American Staffing, BUENROSTRO attends monthly meetings with Fresh Del Monte management where most major decisions are made. Decisions, meeting notices and operational directives are issued through Fresh Del Monte company e-mail.

70. Rodriguez displayed his resume and Fresh Del Monte letters of recognition as proof of his employment by the company.

71. I know from my training and experience that the fraudulent use of identification documents by an unauthorized individual, specifically a Social Security card, can create substantial problems for the victim of the fraud. On May 24, 2007, SSA/OIG Special Agent Papoulias contacted Social Security Administration Management Support Specialist (MSS) Leslie LaRosa to discuss the potential impact of an unauthorized individual working under the assigned Social Security Number of another. Ms LaRosa provided the following information:

- a) The Social Security Administration is responsible for two major programs that provide benefits based on disability: Social Security Disability Insurance (SSDI), which is based on prior work under Social Security, and Supplemental Security Income (SSI). Under SSI, payments are made on the basis of financial need.
- b) Social Security Disability Insurance (SSDI) is financed with Social Security taxes paid by workers, employers, and self-employed persons. To be eligible for this Social Security benefit, the worker must earn sufficient credits based on taxable work to be "insured" for Social Security purposes. Disability benefits are payable to blind or disabled workers, widow(er)s, or adults disabled since childhood, who are otherwise eligible. The amount of the monthly disability benefit is based on the Social Security earnings record of the insured worker.
- c) The use of a Social Security Number (SSN) by an unauthorized individual could result in several adverse actions. A tax liability could be incurred for earnings reported under an SSN with no corresponding income tax return filed with IRS. SSDI beneficiaries may have their benefits reduced, suspended, or terminated for unreported wage income showing ability to work. And, non-disabled Retirement beneficiaries may also be subject to earnings limits. The earnings in question would count towards the yearly limit and may cause suspension of benefits with a resulting overpayment. Retirement benefit amounts would be recomputed to include these inappropriate earnings which could potentially increase the amount of their benefit. If it is determined that these wages do not belong to the beneficiary, their benefit would be again recomputed (downward) with a resulting overpayment owed by the true number holder.

- d) Supplemental Security Income (SSI) is a program financed through general revenues. SSI disability benefits are payable to adults or children who are disabled or blind, have limited income and resources, meet the living arrangement requirements, and are otherwise eligible. The monthly payment varies up to the maximum federal benefit rate, which may be supplemented by the State or decreased by countable income and resources. SSI beneficiaries may have their benefits reduced, suspended or terminated for unreported income.

IV. Conclusion

72. Agent Elias Papoulias, of the SSA, OIG, recently conducted a review of the Social Security Numbers designated for American Staffing Resources employees in the first quarter of 2007. Approximately 184 of the employee Social Security Numbers do not match with the names of persons to whom Social Security Numbers were lawfully issued to by the Commissioner of Social Security. Of the 184 persons who were lawfully issued Social Security Numbers approximately:

- a) 7 are Social Security Disability Insurance (SSDI) recipients who were born in 1938, 1933, 1934, 1920, 1940 (2 persons), and 1946;
- b) 2 are either poor, blind, juvenile, disabled, and or have limited financial resources and are receiving Supplemental Security Income benefits (SSI);
- c) 7 are elderly with birth dates before 1920 and 6 were born before 1935;
- d) 18 are juveniles with birth dates in or after 1990;
- e) 29 are deceased individuals.

73. Based on my training and experience and facts previously set forth, I know that individuals involved in employment of illegal aliens and the unlawful trafficking of illegal identification documents will often maintain in their offices, apartments, residences, and vehicles, the illegal documents they are selling, and evidence of the aforementioned violations.

74 I know from my experience and training that individuals involved in the unlawful trafficking of illegal identification documents and employment of illegal aliens will often maintain in their apartments, residences, and vehicles, quantities of cash representing proceeds from the sales of illegal documents to customers. They often keep the cash on hand because they frequently don't trust banks, and or they don't want to bring attention to their activities by making frequent cash deposits, and because it is a lucrative cash business that can include multiple cash transactions on any given day or at any given time.

75 I know from my training and experience that employers involved in the hiring, harboring, and/or smuggling of illegal aliens for employment purposes will pay lower wages (sometimes below minimum wage requirements), will provide poorer working conditions (inadequate gear, supplies and/or safety equipment), will hire workers under working age and labor law restrictions and will use and maintain applications and other personnel records containing false statements and fraudulent or counterfeit identification documents or copies thereof regarding identifying and/or personnel information about the illegal alien.

76 I know from my training and experience, that individuals engaged in the illegal identification document trade and the employment of illegal aliens will often maintain in their offices, residences, and vehicles, records of those transactions, which may describe in detail or encoded language, the type and cost of the document being bought or sold, and the names of those persons who have bought or sold the illegal documents and other individuals involved in the illegal document distribution organization. I know from my training and experience that these records are maintained for payment distribution to co-conspirators, and for a lack of inventory control. I also know from my training and experience that individuals engaged in the illegal document trade and the employment of illegal aliens will maintain illegal documents in their offices, residences, vehicles, and person.

77 Based on the foregoing and my training and investigative experiences previously set forth, I have probable cause to believe that the businesses known as American Staffing Resources and Fresh Del Monte Produce, are engaged in a continuing criminal conspiracy that includes the unlawful employment of illegal aliens and the manufacturing, delivering and possession of illegal identification documents, and that the previously described premises and persons are being used to store and transport identification document manufacturing materials, records of illegal document transactions, and proceeds generated from the sales of illegal identification documents.

78 Based upon my training, experience and information related to me by agents and others involved in the forensic examination of computers, I know that computer data can be stored on a variety of systems and storage devices including hard disk drives, floppy disks, compact disks, magnetic tapes, and memory chips. I also know that during the search of the premises it is not always possible to search computer equipment and storage devices for data for a number of reasons, including the following:

a) Searching computer systems is a highly technical process which requires specific expertise and specialized equipment. There are so many types of computer hardware and software in use today that it is impossible to bring to the search site all of the necessary technical manuals and specialized equipment necessary to conduct a thorough search. In addition, it may also be necessary to consult with computer personnel who

have specific expertise in the type of computer, software application or operating system that is being searched.

b) Searching computer systems requires the use of precise scientific procedures which are designed to maintain the integrity of the evidence and to recover "hidden," erased, compressed, encrypted, or password-protected data. Computer hardware and storage devices may contain "booby traps" that destroy or alter data if certain procedures are not scrupulously followed. Since computer data is particularly vulnerable to inadvertent or intentional modification or destruction, a controlled environment, such as a law enforcement laboratory, is essential to conducting a complete and accurate analysis of the equipment and storage devices from which the data will be extracted.

c) The volume of data stored on many computer systems and storage devices will typically be so large that it will be highly impractical to search for data during the execution of the physical search of the premises. A single megabyte of storage space is the equivalent of 500 double-spaced pages of text. A single gigabyte of storage space, or 1,000 megabytes, is the equivalent of 500,000 double-spaced pages of text. Storage devices capable of storing fifteen gigabytes of data are now commonplace in desktop computers. Consequently, each non-networked, desktop computer found during a search can easily contain the equivalent of 7.5 million pages of data, which, if printed out, would completely fill a 10' x 12' x 10' room to the ceiling.

d) Computer users can attempt to conceal data within computer equipment and storage devices through a number of methods, including the use of innocuous or misleading filenames and extensions. For example, files with the extension ".jpg" often are image files; however, a user can easily change the extension to ".txt" to conceal the image and make it appear that the file contains text. Computer users can also attempt to conceal data by using encryption, which means that a password or device, such as a "dongle" or "keycard," is necessary to decrypt the data into readable form. In addition, computer users can conceal data within another seemingly unrelated and innocuous file in a process called "steganography." For example, by using steganography a computer user can conceal text in an image file which cannot be viewed when the image file is opened. Therefore, a substantial amount of time is necessary to extract and sort through data that is concealed or encrypted to determine whether it is evidence, contraband or instrumentalities of a crime.

e) In searching for data capable of being read, stored, or interpreted by a computer, law enforcement personnel executing this search warrant will employ the following procedure:

(i) Upon securing the premises, law enforcement personnel trained in searching and seizing computer data (the "computer personnel") will make an initial review of any computer equipment and storage devices to determine whether these items can be searched on-site in a reasonable amount of time and without jeopardizing the ability to preserve the data.

(ii) If the computer equipment and storage devices cannot be searched on-site in a reasonable amount of time, then the computer personnel will determine whether it is practical to copy the data during the execution of the search in a reasonable amount of time without jeopardizing the ability to preserve the data.

(iii) If the computer personnel determine it is not practical to perform an on-site search or make an on-site copy of the data within a reasonable amount of time, then the computer equipment and storage devices will be seized and transported to an appropriate law enforcement laboratory for review. The computer equipment and storage devices will be reviewed by appropriately trained personnel in order to extract and seize any data that falls within the list of items to be seized set forth in Attachment "B."

(iv) Any data that is encrypted and unreadable will not be returned unless law enforcement personnel have determined that the data is not (1) an instrumentality of the offense, (2) a fruit of the criminal activity, (3) contraband, (4) otherwise unlawfully possessed, or (5) evidence of the offense specified above.

(v) In searching the data, the computer personnel will screen the data contained in the computer equipment and storage devices to view their precise contents and determine whether the data falls within the items to be seized as set forth in Attachment "B." In addition, the computer personnel may search for and attempt to recover "deleted," "hidden" or encrypted data to determine whether the data falls within the list of items to be seized.

(vi) If the items are not within the ambit of Attachment "B," the government will return these items within a reasonable period of time not to exceed 60 days from the date of seizure unless further authorization is obtained from the Court.

In order to search for data that is capable of being read or interpreted by a computer, law enforcement personnel will need to seize, image, copy and/or search the following items, subject to the procedures set forth above:

(i) Any computer equipment and storage device which is capable of being used to commit or further the crimes outlined above, or create, access or

store the types of evidence, fruits, or instrumentalities of such crimes as outlined in Attachment "B";

(ii) Any computer equipment used to facilitate the transmission, creation, display, encoding or storage of data, including word processing equipment, modems, docking stations, monitors, printers, plotters, encryption devices, and optical scanners which are capable of being used to commit or further the crimes outlined above, or create, access or store the types of evidence, fruits, or instrumentalities of such crimes as outlined in Attachment "B";

(iii) Any magnetic, electronic or optical storage device capable of storing data, such as floppy disks, hard disks, tapes, CD-ROMs, CD-R, CD-RWs, DVDs, optical disks, printer or memory buffers, smart cards, PC cards, memory calculators, electronic dialers, electronic notebooks, and personal digital assistants capable of being used to commit or further the crimes outlined above, or create, access or store the types of evidence, fruits, or instrumentalities of such crimes as outlined in Attachment "B";

(iv) Any documentation, operating logs and reference manuals regarding the operation of the computer equipment, storage devices or software.

(v) Any applications, utility programs, compilers, interpreters, and other software used to facilitate direct or indirect communication with the computer hardware, storage devices or data to be searched;

(vi) Any physical keys, encryption devices, dongles and similar physical items that are necessary to gain access to the computer equipment, storage devices or data; and

(vii) Any passwords, password files, test keys, encryption codes or other information necessary to access the computer equipment, storage devices or data.

79 Based on the foregoing and my training and investigative experiences previously set forth, I have probable cause to believe that the businesses listed in Attachment "A" contain evidence, as described within this affidavit for violations of:

- a. Title 8 U.S.C. § 1324a makes it unlawful for any person or other entity to hire or recruit for employment in the United States, or continue the employment of, an alien knowing the alien is an unauthorized alien, as defined in subsection 1324a(h)(3).
- b. Harboring -- Title 8 U.S.C. § 1324(a)(1)(A)(iii) makes it an offense for any person who -- knowing or in reckless disregard of the fact that an alien has

come to, entered, or remains in the United States in violation of law, conceals, harbors, or shields from detection, or attempts to conceal, harbor, or shield from detection, such alien in any place, including any building or any means of transportation.

- c. Encouraging/Inducing -- Subsection 1324(a)(1)(A)(iv) makes it an offense for any person who -- encourages or induces an alien to come to, enter, or reside in the United States, knowing or in reckless disregard of the fact that such coming to, entry, or residence is or will be in violation of law.
- d. Conspiracy/Aiding or Abetting -- Subsection 1324(a)(1)(A)(v) expressly makes it an offense to engage in a conspiracy to commit or aid or abet the commission of Section 1324(a) offenses.
- e. Identity Theft in violation of 18 U.S.C. § 1028, which makes it unlawful to knowingly and without lawful authority produce an identification document, authentication feature, or a false identification document; knowingly transfer an identification document, authentication feature, or a false identification document knowing that such document or feature was stolen or produced without lawful authority; knowingly possess an identification document (other than one issued lawfully for the use of the possessor), authentication feature, or a false identification document, with the intent such document or feature be used to defraud the United States; knowingly possess an identification document or authentication feature that is or appears to be an identification document or authentication feature of the United States which is stolen or produced without lawful authority knowing that such document or feature was stolen or produced without such authority; knowingly transfer, possess, or use, without lawful authority, a means of identification of another person with the intent to commit, or to aid or abet, or in connection with, any unlawful activity that constitutes a violation of Federal law, or that constitutes a felony under any applicable State or local law; or knowingly traffic in false authentication features for use in false identification documents, document-making implements, or means of identification.
- f. Immigration Document Fraud, in violation of 18 U.S.C. § 1546, which makes it unlawful to knowingly forge, or falsely make any immigrant or nonimmigrant visa, permit, border crossing card, alien registration receipt card, or other document prescribed by statute or regulation for entry into or as evidence of authorized stay or employment in the United States, or utter, use, attempt to use, possess, obtain, accept, or receive any such visa, permit, border crossing card, alien registration receipt card, or other document prescribed by statute or regulation for entry into or as evidence of authorized stay or employment in the United States, knowing it to be forged, counterfeited, altered, or falsely made, or to have been procured by means of any false claim or statement, or to have been otherwise

procured by fraud or unlawfully obtained; or, except under direction of the Attorney General or the Secretary of Homeland Security, or other proper officer to knowingly possess any blank permit, or engrave, sell, bring into the United States, or have in his control or possession any plate in the likeness of a plate designed for the printing of permits, or make any print, photograph, or impression in the likeness of any immigrant or nonimmigrant visa, permit or other document required for entry into the United States, or have in his possession a distinctive paper which has been adopted by the Attorney General or the Secretary of Homeland Security for the printing of such visas, permits, or documents; or, when applying for an immigrant or nonimmigrant visa, permit, or other document required for entry into the United States, or for admission to the United States to personate another, or falsely appear in the name of a deceased individual, or evade or attempt to evade the immigration laws by appearing under an assumed or fictitious name without disclosing his true identity, or sell or otherwise dispose of, or offer to sell or otherwise dispose of, or utter, such visa, permit, or other document, to any person not authorized by law to receive such document.

- g. Social Security Number Misuse, in violation of 42 U.S.C. § 408, which makes it a crime for any person who with the intent to defraud, falsely represents a number to be the Social Security Number assigned by the Commissioner of the Social Security Administration when it is not.

Moreover, I have probable cause to believe that the evidence listed in Attachment "B" will be found at the addresses and persons listed in Attachment "A".

I have discussed the search warrant and accompanying affidavit in this case with Special Assistant United States Attorney Kemp Strickland, Portland, Oregon. I have been informed by Special Assistant United States Attorney Kemp Strickland that in his opinion, the affidavit accurately states facts which form the basis for probable cause and the legal issuance of a search warrant.

Maximillian L. Trimm, Special Agent
U.S. Department. of Homeland Security
Immigration & Customs Enforcement
Portland, Oregon

Sworn to before me and subscribed in my presence on this 8th day of June 2007.

JOHN JELDERKS
United States Magistrate Judge