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Congressional Fund-Raiser Charged With Immigration Fraud

By [ALISON LEIGH COWAN](#)

A former rabbinical aide who may hold the fate of a United States representative in his hands has been arrested on [immigration](#)-fraud charges, federal authorities said on Friday.

According to a criminal complaint unsealed on Friday, the aide, Ofer Biton, 39, who used to work for Rabbi Yoshiyahu Pinto of Manhattan, schemed to commit immigration fraud and other illegal acts with other people.

United States Magistrate Judge Steven M. Gold signed a warrant on Monday that led to Mr. Biton's arrest late in the week.

Mr. Biton, who was arraigned in Brooklyn on Friday and ordered held at the Metropolitan Detention Center without bail, has previously denied any wrongdoing. His lawyer, Jeffrey Udell, declined to comment on Friday.

According to the complaint, Mr. Biton deceived the government in June 2010 about the source of \$500,000 that he claimed to have put into a new business that was to make him eligible for a permanent visa.

Immigrants who can document that they have invested significant amounts of capital in the United States and have created jobs for Americans are often eligible for a permanent visa for themselves and their families. But under the rules, the seed money for the business has to have been obtained honestly.

In his papers, Mr. Biton claimed much of the money for his business came from a loan from a family friend.

In challenging that account, the complaint strongly hints that the money was raised through more coercive means, like extortion.

While it was not mentioned in the complaint, Mr. Biton has also emerged as a key figure in the 2009-10 Congressional campaign of Representative [Michael G. Grimm](#), a Republican who represents Staten Island and Brooklyn and is seeking re-election. Though Mr. Biton is barred from raising money for federal election campaigns because he is an illegal immigrant, he is [said to have raised much of Mr. Grimm's campaign money](#) for that race from the rabbi's followers and left the impression with some of them that he expected help with his visa problems in return if Mr. Grimm was elected.

Mr. Grimm, who has not been charged with a crime, insists he complied with all campaign laws.

The presence of Anthony Capozzolo, a prosecutor assigned to the public corruption unit of the United States attorney's office in Brooklyn, at Mr. Biton's arraignment, reinforced the appearance that the case has more significance to the government than a mere immigration case.

Mr. Capozzolo has been busy ever since the authorities became aware last year of serious irregularities and turmoil at Shuva Israel, an Orthodox yeshiva on the East Side of Manhattan that Mr. Biton helped establish as the top aide to and translator for Rabbi Pinto, who speaks Hebrew.

For several months now, the authorities have been investigating the possibility that Mr. Biton, along with Ronn Torossian, a public relations executive, [embezzled millions of dollars](#) in charitable funds from the yeshiva and extorted additional money from the rabbi and his followers until Mr. Biton parted ways with the congregation in 2010. Mr. Torossian, who has not been charged, has emphatically denied any wrongdoing.

Asked for comment, his lawyer, Gerald L. Shargel, called the complaint “a collection of hints and innuendos.”

“There is nothing in the document that requires me to comment,” he added.

Lawyers who read the complaint said that the charges appeared to have been narrowly drawn to preserve Mr. Biton’s ability to become a government witness and cooperate against other possible defendants in a scheme whose tentacles have already touched off public corruption investigations in the halls of Congress and overseas.

By focusing strictly on the immigration fraud and not on other areas where Mr. Biton might have criminal exposure, the government may be ensuring that it minimizes the amount of potentially incriminating material it ultimately has to make public about Mr. Biton, since that material could be used by other defendants to attack his credibility or motives, the lawyers explained.

“We’re satisfied that this investigation is proceeding and we look forward to the criminal justice system playing itself out,” said Arthur L. Aidala, Rabbi Pinto’s lawyer.

<http://www.nytimes.com/2012/08/18/nyregion/biton-fund-raiser-for-grimm-accused-of-immigration-fraud.html>