

Immigration Crackdown on immigration fraud overdue

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By Editorial Board

The desperate desire to obtain legal status combines with tangled U.S. immigration laws to create a climate that invites deceit and fraud.

For perpetrators, the risk of defrauding immigrants is small because the victims are reluctant to complain. The amounts immigration consultants can make off their prey are limited only by their nefarious ambitions.

The last thing someone whose immigration status may be dubious wants to do is attract official attention. The money unscrupulous immigration consultants can make far outweighs the limited risk, but that could change. The Texas attorney general is becoming increasingly aggressive in chasing perpetrators of fraud. Federal legislation that would impose criminal penalties for immigration scams has been introduced.

At the moment, however, there is no national standard for pursuing fraud. In Texas, the attorney general's office targets suspected scammers and recently got a settlement against an organization whose clients complained did them more harm than good.

Cristo Vive (Christ Lives), a secular organization that offered immigration consulting, collected fees ranging from \$232,000 to \$619,000 annually but is now out of the immigration business. As the American-Statesman's Jeremy Schwartz reported this week, the organization and its owner, Jorge Sanchez, must comply with a court order that bars him from collecting money for immigration work and from using the name Cristo Vive.

Sanchez and Cristo Vive were targeted by the Texas attorney general's office in 2012 — after a 2011 American-Statesman report that immigration cases handled by Sanchez and his organization were bungled so badly that his clients faced arrest and deportation.

Sanchez agreed to a court order to pay \$250,000 in restitution and faces a \$300,000 fine if he violates terms of the settlement with state authorities. The settlement reached between Sanchez and the state is the result of a civil case, not criminal action.

This case is far from isolated. Immigration “consultants” flourish, often implying that they are legally qualified to handle immigration cases when they are not. Clients often are charged for immigration forms that are free, and that's just the beginning of a long rip-off that could lead to even bigger legal problems for them.

The Texas attorney general's office has gotten increasingly aggressive in cracking down on immigration scams, closing down 75 unauthorized immigration consultants across the state.

While commendable, shutting down fraudulent and unscrupulous operators is going to take a while. The customer base is large and either unaware or downright afraid of seeking recourse.

Bear in mind those customers are seeking the help to obtain legal status in the United States. They are vulnerable because the "notarios" — literally "notary" — who advertise their services are often cheaper than lawyers who specialize in immigration law.

A notario in some Latin American countries is a state-appointed attorney. In the U.S., of course, a notary public is someone who acts as a legal witness at document signings.

A notario on this side of the border can make false promises about speeding up the process and guaranteeing an outcome, and continue to collect money from the hapless clients who invest hope in them.

"This is a foreseeable problem," noted U.S. Rep. Bill Foster, D-Ill. Foster introduced legislation that would make it a federal crime to fraudulently offer immigration legal services. The bill calls for a fine and up to 10 to 15 years in federal prison for offenders.

"Not only do these 'notarios' exploit immigrants for money, but their false services can, and many times have, resulted in well-meaning immigrants being deported because they didn't receive accurate information on the immigration process," Foster said.

It's federal legislation that merits support. Even if the current attempt at immigration reform fizzles — perhaps especially if it fizzles — immigrants seeking to legally navigate a complicated process deserve the protection. These are people who are trying to play by the rules, after all, but could have their opportunity for legal status compromised by fraudulent advice rendered by unscrupulous con artists.

The California legislature is also seeking to crack down on fraudulent immigration consultants. Criminalizing this type of fraud deserves the attention of the Texas Legislature as well, but the next regular session is a year and three months away.

Back in Central Texas, Sanchez's lawyer said his client agreed to the settlement because he was tired of fighting the state. Ed Watt, of Dripping Springs, blamed Sanchez's legal problems on "those who opposed the competition at lower rates."

It's an explanation that invites skepticism, especially from Sanchez's aggrieved clientele. A former Cristo Vive client told the American-Statesman in 2011 that Sanchez advised him to seek a religious worker visa instead of applying for political asylum because of threats he had received in his native Colombia.

It was advice that nearly got him deported.

“It’s as if I came with cancer and he injected me with malaria,” the client told Schwartz.

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