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NEW YORK AUTHORITIES ARE TARGETING FRAUD AGAINST IMMIGRANTS

Many schemes involve assistance with citizenship, asylum, work papers and more

By Rebecca Davis O'Brien
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When authorities arrested a 69-year-old Brooklyn man last month for allegedly selling phony legal assistance to immigrants, they charged him under a new state statute aimed at protecting immigrants from fraud.

The case against Howard Seidler, who also faces counts of forgery, grand larceny and practicing law without a license, highlights the mounting concern among New York officials about schemes targeting immigrants who are seeking assistance with citizenship, asylum, work papers and more.

Mr. Seidler has pleaded not guilty and remains in custody at Rikers Island. His lawyer didn't respond to requests for comment.

City prosecutors have redoubled efforts in the past few years to reach immigrant communities.

Special immigrant fraud units have aligned with nonprofits and federal authorities, placed alerts in consulates and set up anonymous hotlines for reporting fraud. In April, the state attorney general and New York City Mayor Bill de Blasio announced a task force to investigate illegal immigration-service providers.

But officials and immigrant advocacy groups said state law still doesn't do enough to combat fraud targeting immigrants, which typically involves small amounts of money and often results in misdemeanor or low-level felony charges. They want the Legislature to approve stiffer charges for these crimes.

Mr. Seidler's case, brought by the Brooklyn district attorney's office, marked the first charges under the state's Immigrant Assistance Service Enforcement Act, which took effect in February. Mr. Seidler was arrested after he accepted more than \$3,000 from an undercover detective and allegedly returned a forged Social Security card, according to prosecutors.

Last year, as part of a settlement with the state attorney general's office, two immigrant services organizations operating in New York City agreed to pay \$2.2 million in restitution to thousands of clients who the attorney general's office alleged were defrauded by the organizations.

Figures on fraud targeting immigrants, many of whom are in the country illegally, are hard to come by, in part, because so much goes unreported, officials said. The state's New Americans Campaign cites Federal Trade Commission figures showing 100 complaints about immigration-services fraud were made in New York State in 2013.

Illegal immigrants and temporary residents are particularly vulnerable, officials say, because they are unlikely to know their rights, may not speak English and are often afraid to contact

law enforcement. The consequences go beyond monetary losses: Filing fraudulent claims for asylum or lying, even unknowingly, on immigration forms can render applicants ineligible for federal benefits in the future.

"Obviously, not being legal in this country makes the bad guys target you that much more, knowing you can't go forward," said Greg Pavlides, chief of the Queens district attorney's economic crimes bureau.

Mr. Pavlides said his office prosecutes five to 10 immigration assistance fraud cases annually, along with more scams unrelated to legal status that often affect immigrants disproportionately.

These scams include phony employment agencies that charge would-be applicants for uniforms and background checks for nonexistent jobs, travel agents that sell incomplete airline tickets, and online ads that demand down payments for phantom apartments.

Some scams are specific to ethnic communities. In "Chinese blessing" scams, offenders target older Chinese women, promising to cleanse them of evil spirits while making off with their cash and jewelry. "Notario" fraud is prevalent in Latino communities, with public notaries offering legal services they aren't licensed to provide.

Rosemary Yu, who runs the Manhattan district attorney's immigrant affairs unit, said the people who commit these crimes employ a "unique cultural hook that becomes a unique cultural scam."

In 2013, Ms. Yu helped bring charges against Martin Mannert, a self-described immigration consultant who pleaded guilty to a scheme in which he charged immigrants seeking legal status about \$10,000 apiece for forged documents that he never filed. Mr. Mannert avoided jail but paid \$180,000 in restitution to about 20 people.

Many of Mr. Mannert's victims were undocumented Polish immigrants who came forward with the support of Father Brian Jordan, a priest who provides free counseling services for immigrants. His role, he said, is "to work with the victims who are afraid to come forward."

"Most of these people are still living in the shadows," Mr. Jordan said.

One 32-year-old Polish man, who entered the U.S. illegally more than a decade ago, said he paid Mr. Mannert \$9,500 to secure his legal status. The man, who declined to give his name, said he trusted Mr. Mannert in part because his secretary was Polish. "We believed it because she told us," he said.

The man, who owns a construction business, expects to be deported later this year.

One frustration for immigrant advocacy groups is that prosecutors have tended to want more than one victim before bringing a case. And prosecutors take issue with New York's white-collar crime laws, which don't allow larceny charges to be combined to create stiffer penalties.

For example, collecting \$600 fees from 100 different people would result in multiple counts of petit larceny, a misdemeanor, rather than a combined felony grand larceny charge.

"Our hands are tied," said Maritza Mejia-Ming, counsel to the Brooklyn district attorney.

Ms. Mejia-Ming said the Brooklyn district attorney's office was prosecuting about 15 immigrant-fraud cases at any given time, a number she expected to grow with the new law. Officials said they are pleased the new immigrant-services statute applies felony charges and steeper fines to businesses that don't disclose that they aren't authorized to practice immigration law.

"It is a good tool to have," Ms. Yu said of the new law. "Especially in front of a jury, they take it a little more seriously when they see that it's actually a crime."