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THREE ATTORNEYS AND TWO INTERPRETERS CONVICTED IN LONG-RUNNING ASYLUM FRAUD SCHEME

SACRAMENTO, Calif.—Acting United States Attorney Lawrence G. Brown announced that a federal jury returned verdicts today convicting JAGPRIT SINGH SEKHON, 39, of Westminster, formerly of Sacramento; his brother JAGDIP SINGH SEKHON, 42, of Salida, formerly of Oakland; MANJIT KAUR RAI, 33, of Discovery Bay, formerly of Antioch; IOSIF CAZA, 43, of Sacramento; and LUCIANA HARMATH, 29, of Glendale, Ariz., formerly of Sacramento, of most of the counts against them in a long-running scheme to defraud the U.S. Immigration and Naturalization Service (INS) and its successor agency, U.S. Citizenship and Immigration Services (CIS), by filing hundreds of false asylum claims from early 2000 through late 2004. The guilty verdicts were returned by a federal court jury in Sacramento after a three-and-a-half month trial before United States District Judge Frank C. Damrell Jr.

The verdicts are as follows: All five defendants were convicted of conspiracy to defraud the INS and CIS by filing fraudulent asylum claims. Defendants JAGPRIT SEKHON, MANJIT RAI, IOSIF CAZA and LUCIANA HARMATH were also convicted of a separate conspiracy to submit a false asylum claim. Those four defendants were also convicted of several false statement and asylum fraud counts relating to specific asylum claims. The jury convicted defendant JAGPRIT SEKHON on nine additional counts, convicted MANJIT RAI on three additional counts, convicted IOSIF CAZA on six additional counts, and convicted LUCIANA HARMATH on two additional counts.

This case is the product of an extensive investigation by U.S. Immigration and Customs Enforcement (ICE).

According to Assistant United States Attorneys Benjamin B. Wagner, Camil A. Skipper, and Kyle Reardon, who are prosecuting the case, JAGPRIT SEKHON, JAGDIP SEKHON, and RAI are attorneys licensed to practice law in California. The SEKHON brothers were partners in the law firm of Sekhon & Sekhon, which had offices in Sacramento and San Francisco and specialized in immigration cases, particularly the representation of clients seeking asylum. RAI was a senior associate in the law firm. CAZA and HARMATH were contract interpreters who worked with the firm on asylum claims relating to Romanian clients. Between the late 1990s and late 2004, the defendants filed hundreds of asylum applications with INS (later CIS), on behalf of clients who were primarily Indian and Romanian nationals. They also filed claims on behalf of Fijian and Nepali clients. In order to qualify for asylum status in the United States, an applicant must demonstrate a well-founded fear of persecution in the applicant's home country on account of the applicant's race, religion, nationality, membership in a particular social group, or political opinion. The application process includes a written application with supporting documents and an interview with a CIS Asylum Officer. If asylum is not granted by the Asylum

Officer, the matter is referred to an administrative immigration court, called the Executive Office for Immigration Review, for a hearing.

The evidence introduced at trial showed that the defendants filed numerous asylum applications containing fictitious stories of persecution that the clients had supposedly suffered in their home countries on ethnic, religious, or political grounds. The applications were often supported by doctor's letters, medical certificates, affidavits and other documents that were counterfeit or fraudulent. As a result, scores of Sekhon & Sekhon clients fraudulently obtained lawful status as asylees in the United States. The evidence established that JAGPRIT and JAGDIP SEKHON drafted persecution narratives, which were filed with the asylum application forms that contained harrowing, but fictitious, stories of arbitrary arrest, detention, torture, and rape. Some persecution stories were reused in asylum claims for multiple clients. After filing the claims, the defendants conducted preparation sessions at which they coached their clients to memorize the false stories in preparation for interviews with Asylum Officers and hearings before the immigration court.

Many of the documents filed in support of the bogus asylum claims, including documents that purported to be notarized declarations or doctors' certificates from Romania and India, were fraudulent, in that they were drafted based on the fictitious asylum story and not based on actual discussions with the purported declarants or doctors. Some documents that appeared to be Romanian declarations notarized in that country had in fact been created in Sacramento using a computer.

The trial evidence showed that many of the Romanian clients of Sekhon & Sekhon traveled to Sacramento from other states, such as Washington, Arizona, Illinois, and Michigan, to use the firm's services. Because these clients resided outside of the jurisdiction of the San Francisco Asylum Office, their applications included false information reflecting that they resided in northern California.

Acting U.S. Attorney Brown said: "Through the granting of asylum, this nation offers its protection to victims of ethnic, religious, and political persecution from across the world. These defendants made a living out of cynically abusing the asylum process. That three of these defendants were attorneys, officers of the court who are supposed to uphold the integrity of the process, is particularly offensive. The Department of Justice is committed to investigating and prosecuting those who attempt systematically to undermine the immigration laws of this country."

"The jury's verdict is a stern reminder about the consequences awaiting those who conspire to compromise the integrity of our nation's legal immigration system," said Mark Wollman, special agent in charge for the ICE Office of Investigations that oversees Sacramento. "Our nation's asylum laws were designed to protect the world's most vulnerable populations. Disturbingly, in this instance, the defendants used their knowledge of these laws not for the greater good, but to undermine the system and enrich themselves."

At trial, the prosecution called seven former Sekhon & Sekhon asylum clients – nationals of Romania, India, and Moldova – to testify. They told the jury that they had not suffered persecution in their home countries, and that JAGPRIT SEKHON had drafted the fictitious stories of persecution filed with CIS. Three of them also testified that they had purchased documents that appeared to be Romanian declarations from CAZA.

During the investigation, a Romanian undercover informant, who posed as a prospective client seeking assistance with obtaining legal status in the United States, met with JAGPRIT

SEKHON, RAI, CAZA and HARMATH during late 2003 and early 2004. The informant told JAGPRIT SEKHON and HARMATH that he had not suffered persecution in Romania, but JAGPRIT SEKHON nonetheless drafted and filed an asylum claim that stated that the informant had been repeatedly attacked, arrested and beaten unconscious by police due to his Baptist religion. Audiotapes of the informant's initial meeting with JAGPRIT SEKHON and HARMATH, and of his subsequent preparation sessions with those two defendants and with RAI and CAZA, were played at trial.

Documents presented to the jury included a large number of items recovered from the home of CAZA, including Romanian notary tax stamps found under his mattress, and jpg images of seals for Romanian doctors, notaries, and churches found on floppy discs in his bedroom. Some of those seals were matched to seals on documents filed in connection with asylum claims for Sekhon & Sekhon clients. A forensic document expert testified that some documents submitted to immigration authorities that appeared to bear wet ink Romanian notary seals had in fact been produced using an inkjet printer. ICE Special Agent Carol Webster testified about her analysis of hundreds of Sekhon & Sekhon asylum claims, which established that certain phrases and scenarios were reused in multiple claims.

The defendants are not in custody and a hearing is scheduled for Friday, June 26, 2009, at 10 a.m. to revisit bail arrangements. Sentencing of all five defendants was scheduled for October 16, 2009, at 1:30 p.m., before Judge Damrell.

Acting U.S. Attorney Brown commended the work of Special Agent Webster, whose extensive investigation led to today's convictions. "Agent Webster's dedication and tenacity over the last seven years has been remarkable. Because of her work, the integrity of the asylum adjudication process has been enhanced."

The maximum statutory penalty for a violation of each of the conspiracy counts and false statement counts is five years in prison, and the maximum penalty for asylum fraud is 10 years in prison. The actual sentence will be determined with reference to the Federal Sentencing Guidelines, which take into account a number of factors, and will be imposed at the discretion of the court. Defendants JAGDIP SEKHON, JAGPRIT SEKHON and IOSIF CAZA may also be liable for forfeiture of property and funds to the United States. The forfeiture issues will be litigated in a subsequent proceeding.

Defendants JAGPRIT SEKHON, JAGDIP SEKHON and RAI are likely to face State Bar disciplinary proceedings. RAI and HARMATH are not citizens, and so may also face deportation following the service of any prison term imposed at sentencing.

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