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Migrant-Camp Operators Face Forced Labor Charges

By STEVEN GREENHOUSE

Correction Appended

Six people who run migrant labor camps east of Buffalo were indicted this week on the unusual federal charge of forced labor, accused of virtually enslaving 40 Mexican workers and threatening them with physical harm if they tried to escape.

The United States attorney in Buffalo unsealed an indictment on Wednesday that said a ring of labor contractors threatened the migrants if they tried to escape before paying off more than \$1,000 in debt for transportation, food, rent and electricity.

The indictment said several dozen Mexican migrants who were desperate for work were victims of an elaborate forced labor ring. The migrants, the indictment said, were transported from Arizona last summer in crowded, stiflingly hot vans that had no seats and inoperable windows. At times, one van carried 30 people, and the migrants were charged \$1,000 for the trip.

When the workers arrived in New York, the indictment said, 30 of them were squeezed into a farmhouse in Albion, halfway between Buffalo and Rochester. In that house, 11 workers slept in a small room that had just three beds.

United States Attorney Michael A. Battle said the indictments were the first in the nation bringing charges of forced labor under the Victims of Trafficking and Violence Prevention Act of 2000, which increased penalties for forced labor and involuntary servitude.

The defendants were also charged with trafficking for purposes of using forced labor, knowingly transporting illegal aliens and violating federal statutes that protect migrant and seasonal laborers.

Those indicted were farm contractors, who serve as middlemen providing farmers in the United States with low-cost labor from Mexico, Guatemala and other countries.

One of the migrants, Miguel, who refused to give his last name for fear of reprisals by the contractors' friends, said, "They threatened us that if we didn't work harder they would lock us in a small truck for a month without feeding us."

Miguel, who worked at a squash farm, said that in Arizona the contractors promised that he would be paid \$500 a week in New York and would not have to pay for rent or electricity. He said that when he arrived in New York, one farm contractor told him that he would earn \$5.15 an hour and that he would have to pay \$30 a week rent and \$10 a week for electricity.

Officials in the United States attorney's office said the contractors improperly withheld living expenses from the migrants, used guards to keep them from leaving, and warned that immigration officials would capture them if they left or spoke out.

Stuart Mitchell, chief executive of Rural Opportunities Inc., a nonprofit group based in Rochester that helps train and house farm workers, said there were 10,000 to 15,000 migrant farm laborers in western New York, with many living in unsatisfactory conditions.

"It is a desperate situation for thousands of people who are finding it difficult to find employment to feed their families," he said. "Farm contractors play a necessary role, but obviously it's open to great abuse."

The indictments accused Maria Garcia, her husband, Jose I. Garcia, and their sons, Elias Botello and Jose J. Garcia, with running a forced labor ring. The most serious charge, subjecting workers to forced labor, carries a maximum penalty of 20 years in prison. Another relative, Rogelio Espinoza, and a helper from Arizona, Sylvia Munoz Rubio, were also indicted.

The six defendants pleaded not guilty. Lee Hoover, a court-appointed lawyer for Maria Garcia, said, "There are a lot of allegations put forward, with not a lot of evidence to support them, and we look forward to vigorously representing Ms.

Garcia."

After escaping, the workers contacted Farmworker Legal Services of New York, which contacted the Justice Department. The 10 workers who contacted the legal services group have been granted temporary visas to serve as witnesses in the case.