



Orange County News

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District Attorney Hoovler Announces Felony Plea to Immigrant Assistance Services Fraud in the First Degree

Admits Defrauding Recent Immigrants with False Promises of Expedited Immigration Proceedings

First Time Orange County District Attorney's Office Has Obtained Conviction for Immigrant Assistance Services Fraud in the First Degree

Case Prosecuted as Part of the Orange County District Attorney's Office's Immigrant Affairs Initiative

Orange County District Attorney David M. Hoovler announced that on August 29, 2017, Maria Medina, 67, formerly of Wallkill, pleaded guilty before Orange County Court Judge Robert H. Freehill, to the felony of Immigrant Assistance Services Fraud in the First Degree. At the time that she pleaded guilty, Medina admitted that she had defrauded at least four different recent immigrants from Mexico and Columbia, making false promises to them that she would be able to expedite changes to their legal immigration status by providing them with United States residency cards, commonly called "green cards." As part of the plea agreement, Medina agreed to pay \$9,350.00 in restitution to the immigrants she had defrauded. Medina acknowledged that she will likely be deported after serving a term of incarceration that may be imposed on her when she is sentenced on October 24, 2017.

Medina's guilty plea marks the first time that the Orange County District Attorney's Office has obtained a conviction for the felony of Immigrant Assistance Services Fraud in the First Degree. The case was brought as part of Orange County District Attorney's Office Immigrant Affairs Initiative.

In August 2016, District Attorney Hoover launched a new initiative, designed to assist Orange County's immigrants in dealing with the criminal justice system. As part of the initiative, the District Attorney's Office joined the New York State District Attorneys' League of Immigrant Affairs (DALIA), an organization that comprises six other New York State district attorney's offices, those in the New York City boroughs of Queens, Manhattan, Brooklyn, and the Bronx, as well as Nassau and Westchester Counties. Under the Orange County District Attorney's Office's Immigrant Affairs Initiative, an immigrant who has been the victim of a crime is able to call the District Attorney's Immigrant Affairs Coordinator to report the crime, and the Immigrant Affairs Coordinator, in turn, will ensure that the immigrant's complaint is routed to the prosecution unit within the District Attorney's Office that is most appropriate to investigate it. Victimized immigrants may report any type of crime, including violent crimes, human trafficking, domestic violence, and frauds. Immigrants who wish to report being the victim of a crime, or who otherwise need assistance in dealing with a criminal case in which they are the victim, or those wishing additional information about the initiative, may contact Counsel to the District Attorney Robert Conflitti, who serves as the Immigrant Affairs Coordinator, by calling (845) 291-2050 or by email to DAImmigrantAffairs@orangecounty.gov.com.

District Attorney Hoover thanked the New York State Police for their investigation and for the arrest of Medina.

In addition, in June 2017, an Orange County grand jury charged Byron Castillo, 36, formerly of Middletown, with five counts of Grand Larceny in the Third Degree, as a Hate Crime; Scheme to Defraud in the First Degree; and five counts of Immigrant Assistance Services Fraud in the First Degree. The case is also being prosecuted as part of the District Attorney's Immigrant Affairs Initiative. It is alleged that Castillo defrauded five recent immigrants from Ecuador, by promising them that their relatives could get United States visas, and by providing them with false visa documents and plane tickets. The indictment alleges that Castillo stole in excess of three thousand dollars from at least five victims, and that he selected his victims in whole or in substantial part because of their national origin. It is alleged that Castillo targeted victims because they were from Ecuador. The targeting of victims because of their race, color, national origin, ancestry, gender, religion, religious practice, age, disability, or sexual orientation of a person, regardless of whether the belief or perception is correct, renders some offenses, such as grand larceny, to be designated as hate crimes, and allows for enhanced punishment. If convicted of Grand Larceny in the Third Degree, as a Hate Crime, Castillo faces up to five to fifteen years in state prison.

The Orange County District Attorney's Office and the City of Middletown Police Department are seeking the public's help in locating Byron Castillo. Anyone with information concerning Castillo's current location is urged to call Detective Evan Colon at the City of Middletown Police Department, or the Orange County District Attorney's Office at (845) 291-2050.

The cases against Medina and Castillo are being prosecuted by Assistant District Attorney Kerry Kolek.

"Those who think that they can escape arrest or prosecution in Orange County by preying on undocumented immigrants, who may be reluctant to come forward because of their immigration status, are sadly mistaken," said District Attorney Hoovler. "It is our duty as prosecutors to prosecute every crime, regardless of the citizenship status of the victim. All crime affects everyone in the community, and diminishes everyone's quality of life. It must be well understood that this Office will not tolerate criminal acts of any type, against any victim, and if an offender selects a victim based on the victim's race, color, national ancestry, religion, ethnicity, gender, sexual preference or identity, or any other constitutionally protected classification, we will prosecute those crimes to fullest extent of the law, and, as appropriate, we will seek enhanced sentences for those acts under New York's hate crime statutes. We are a nation of immigrants and all of our residents deserve to be free from being victimized by crime. I urge anyone who believes that they or someone they know has been a victim of Immigrant Assistance Services Fraud, or any immigrant who has been the victim of a crime, but is reluctant to report that crime for fear of immigration consequences, to contact our Immigrant Affairs Coordinator or any other appropriate law enforcement agency."

A criminal charge is merely an allegation that a defendant has committed a violation of the criminal law, and it is not evidence of guilt. All defendants are presumed innocent and entitled to a fair trial, during which it will be the State of New York's burden to prove guilt beyond a reasonable doubt.



Maria Medina



Byron Castillo