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2 Niagara County men charged with forcing undocumented immigrants to work at Mexican restaurant

Earlier this week, U.S. Attorney James P. Kennedy Jr. announced a federal grand jury returned an indictment charging Roberto Montes-Villalpando, 59, of Sanborn, and Abraham Montes, 27, of Lockport, with conspiracy to commit forced labor, forced labor, conspiracy to harbor aliens for financial gain, harboring an alien for financial gain, and harboring an alien for financial gain and causing serious bodily injury. Montes is also charged with transporting an alien for financial gain. The charges carry a maximum penalty of 20 years in prison.

Assistant U.S. Attorney Meghan A. Tokash, who is handling the case, with support from the Department of Justice's Civil Rights Division's human trafficking prosecution unit, stated that, according to the indictment, the defendants owned and operated El Cubilete Mexican Restaurant, formerly located at 9400 Niagara Falls Blvd., Niagara Falls, between December 2014 and late 2018, at which time the restaurant moved to 2050 Cayuga St. Ext., in Niagara Falls. Defendant Montes-Villalpando managed the restaurant, supervised the staff, including

wait and kitchen staff, made hiring and firing decisions, and determined payroll. Defendant Montes supervised the kitchen staff of El Cubilete. The kitchen staff included victims 1, 2, 3 and 4, who were each natives and citizens of Mexico without any legal status in the U.S. The victims were employed by the defendants as cooks, food preparers and dishwashers. In addition, the victims sublet an apartment rented by defendant Montes-Villalpando in Niagara Falls.

Between Nov. 1, 2014, and Feb. 18, 2018, the defendants allegedly recruited and hired undocumented foreign nationals who had supposedly entered the U.S. illegally to work for them. Montes-Villalpando and Montes allegedly enticed prospective laborers who lived and worked in Ohio, including Victim 1 and Victim 2, to work at El Cubilete by promising better pay and fewer hours. The defendants allegedly conspired to obtain the labor and services of victims 1 through 4 by serious harm and threats of serious harm. During the course of the conspiracy, the defendants are accused of causing serious bodily injury to

victim 3.

"As alleged in this indictment, the defendants took advantage of these aliens by using threats and, in at least the case of one victim, physical force, in order to exploit them," Kennedy said. "Human trafficking of any sort, including forced labor, will not be tolerated in our great country, and those who seek to inflict such an injustice on another human being will be prosecuted to the fullest extent of the law."

"Homeland Security Investigations (HSI) is committed to investigating and prosecuting all forms of human trafficking, including forced labor," said Special Agent-in-Charge Kevin Kelly of HSI Buffalo. "Forced labor strips individuals of their basic human freedom and has no place in a modern society or in our community. HSI is proud of the work accomplished in this case with the U.S. Attorney's Office, and our law enforcement partners."

"This is a fine example of how the human trafficking task force is working between federal and local law enforcement agencies," Erie County Sheriff Timothy Howard said. "These charges are the result

of a detailed investigation and our proof of the commitment that law enforcement has to putting an end to human trafficking in this area."

The defendants were arraigned before U.S. Magistrate Judge Jeremiah J. McCarthy and released on conditions.

The indictment is the result of an investigation by the Homeland Security Investigations, under the direction of Special Agent-in-Charge Kevin Kelly, the Erie County Sheriff's Office, under the direction of Howard, the U.S. Department of Labor, Office of Inspector General, Office of Investigations - Labor Racketeering and Fraud, under the direction of Special Agent-in-Charge Michael C. Mikulka of the New York Region, and the and the human trafficking task force of the Western District of New York.

The fact that a defendant has been charged with a crime is merely an accusation and the defendant is presumed innocent until and unless proven guilty.

The Niagara-Wheatfield Tribune called the restaurant for comment, but none was offered as of press time.

Town of Niagara will begin gradual reopening of Town Hall

The following update was posted to the Town of Niagara community Facebook page:

The Town of Niagara will begin the gradual process of reopening the Town Hall. Below are the procedures in place for the week of June 22:

- 1. Hours of Operation: 9:00 a.m - 1:00 p.m, Monday-Thursday (Closed Friday)
2. No walk-in foot traffic, business must be by appointment only
3. The courtroom doors will be the only external entrance open.

4. For appointments, please call the general Town Hall number (297-2150) then the specific department extension as follows:

- a. Water/Sewer: Ext. 123 (Water bills should still be paid by mail)
b. Building Inspector: Ext. 126
c. Assessor: Ext. 129
d. Town Clerk: Ext. 131
e. Supervisor's Office: Ext. 135
f. Highway: Ext. 142
g. Police: Ext. 145
Information for Visitors:
1. Visitors MUST wear a mask, or they will be denied entrance.

2. Visitors will enter through the courtroom doors and through the thermal scanner. Visitors with a temperature will be denied entrance and encouraged to get a COVID-19 test.

Important operating procedures:
1. There will be no walk-in business, all business via appointments only.

2. There will be two options for conducting business with the public:

Option A: Visitors will contact the office by phone once they

are in the parking lot. When that department is ready for your respective appointment, they will be called and directed to the courtroom doors for entrance.

Option B: Visitors will proceed directly to the courtroom doors for entrance, once inside the building they will be staged in the courtroom, the officer manning the door will contact the appropriate office to notify them that their appointment has arrived.

BBB tip: 'Like-farming' Facebook scam still going strong

By the Better Business Bureau

You've seen them before: Facebook posts designed to grab your attention and stop your scrolling. There are many versions. Some tug at your heartstrings, others tempt you with offers to win a new car or RV.

A post advertising a free RV was recently making the rounds on Facebook, using the pandemic to draw attention: "With a lot of people out of work and Covid-19 keeping them out of work we know money is tighter more now than ever! So by 4 PM Monday someone who shares and also comments will be the new

owner of this 2020 Jayco Greyhawk RV, paid off and ready to drive away, keys in hand - Jayco."

The actual company, Jayco, a BBB Accredited Business, has responded on Facebook, saying, "We are not running a giveaway for a 2020 Seneca or any other Jayco RV. We have taken the necessary steps to report the page(s) responsible for the misleading giveaways. If we ever do run any official Jayco sales event or giveaway, it will be promoted through our official Jayco company page. In addition, we would never ask for your personal information, under no circumstance should you

provide your personal information to anyone."

Unfortunately, many of these posts are created by scammers, striving to collect as many Facebook "likes" as possible.

What is 'Like-Farming'?

"Like-farming" on Facebook is a technique in which scammers create an eye-catching post designed to get many "likes" and shares. Posts often give people emotional reasons to click, "like" and share, such as adorable animals, sick children, the promise to win big, or political messages.

Why Do Scammers 'Farm'?

for 'Likes'?

As with many scams, "like-farming" has several different aims. When scammers ask you to "register" in order to win something or claim an offer, this is a way to steal your personal information. Other versions can be more complex. Often, the post itself is initially harmless - albeit completely fictional. But when the scammer collects enough "likes" and shares, they will edit the post and could add something malicious, such as a link to a website that downloads malware to your machine.

SEE BBB, continued on Page 6

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