

‘Severe form of human trafficking’: Five charged in federal indictment over scheme that spread from Georgia to Wisconsin

Jacob Crosse
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On May 22, 2019 federal prosecutors in Wisconsin’s Eastern District released a sealed indictment charging five people with conspiracy to commit forced labor, labor trafficking, and five additional labor-related offenses. The charges stem from a multi-year investigation between various federal agencies and the Racine Police Department located in southeastern Wisconsin.

The indictment alleges that four US citizens, Saul Garcia, 49, Saul Garcia Jr., 26, Daniel Garcia, 28, Consuelo Garcia, 45, of Moultrie, Georgia, and Maria Remedios Garcia-Olalde, 52, a Mexican national, conspired to exploit the labor of 14 adult workers over a four month period, from July 2016 through November 2016. If convicted on all charges the defendants could spend up to 20 years in prison.

The five defendants, all related, have pleaded not guilty and were released on bail Friday. While the indictment only alleges 14 victims, it is known that hundreds of migrant workers were cycled, and likely trafficked, through the two companies owned and operated by the Garcia family over a five-year period.

The first company, Garcia & Sons Harvesting, authorities allege was operated by Saul Garcia Jr. and his father. The second company, C&D Harvesting, was operated by Daniel Garcia and used to recruit Mexican workers to the United States. Consuelo Garcia, mother to Saul and Daniel, ran the bookkeeping for both companies, while Maria Remedios Garcia-Olalde, aunt to Saul Garcia Jr., worked as an overseer for the companies on a guest worker visa.

The two companies operated by the Garcias were given US Department of Labor permission to hire Mexican migrants to labor on Georgia farms through a

seasonal guest worker program. These “guest worker programs,” known as H-2A or H-2B, are nothing more than modern indentured servant contracts that for decades have been used to hyper exploit vulnerable workers, generally from Mexico. The predecessor to the current program was the Mexican Farm Labor Agreement, or the bracero program, lasted until 1964. Beginning in 1943, the H-2 program was introduced to allow sugar cane workers to be transported and exploited in the United States.

According to court documents, in 2016 the Department of Labor granted authorization for C&D Harvesting to hire 272 workers, while Garcia & Sons Harvesting was permitted to hire 112 workers over a one year period beginning in September 2015. Once the migrant workers were hired on and brought into the country the Garcias forced workers to give up their passports and identification cards. The migrants were then presented with false IDs and social security numbers. Once in the US, the migrant workers were told that if they contacted any authorities they would be deported and any money they were owed would be kept by the company. Several victims in the indictment also alleged that they were forced to pay recruiting fees, ranging from \$200 to \$600, to the Garcias and in some cases even sign away family homes or land in Mexico as collateral to land a job.

Besides swindling laborers out of their papers and wages, the indictment also alleges that the victims were forced to work seven days a week, toiling in fields, planting or harvesting bell peppers, greens, salad onions, cucumbers, cabbage, tomatoes and tobacco for 10-14 hours a day with only a half hour lunch.

At the end of their days, rest didn’t come easily.

Crammed into mobile homes and sometimes forced to sleep on the floor, workers were forced to share their sparse accommodations with up to 10 other workers. Other laborers resided in barracks style housing, with 32-100 workers were crammed into a single building with little privacy.

The Garicas, through their two companies, contracted out the migrant workforce to farms throughout Georgia, including Moore Farms, and later through Wisconsin-based Borzynski Farms, which also has operations in Georgia. Toiling for hours in the humid Georgian sun, workers were paid a paltry \$10.59 per hour while also being denied medical care and sometimes water as a punishment.

The H-2A guest worker program limits the duration and location where temporary workers are allowed to work. As is often the case, these stipulations are ignored by companies, looking to extract as much surplus value as possible out of their captive workforce. In this case it meant that workers, once they had completed the harvest and grow season in Georgia were illegally transported to Wisconsin and compelled to work under threat of violence or deportation.

In Wisconsin, the workers were consigned to farms in Kenosha and Racine. In conditions resembling a work release program for convicted felons, workers were forced to stay in a secluded motel, four to a room, where they were told they were not allowed to leave without permission or supervision. Everyday at six o'clock in the morning, four yellow school buses would arrive to transport workers to work in the fields for at least 10 hours each day.

While the indictment only focuses on a four month period beginning in July 2016, court documents state the defendants failed to pay at least \$850,000 to workers illegally brought to Wisconsin in 2015 and 2016.

Federal authorities began to monitor the motel where the workers were confined in October 2016. In November 2016 authorities intercepted one of the buses packed with 23 workers as it was leaving a Borzynski-owned farm.

Workers asserted to authorities that the Garcias had seized their legitimate documents and provided them with false identifications. On the bus with the trafficked workers was also overseer Maria Remedios Garcia-Olalde, who also provided a false ID. Of the 23 workers

who were on the bus, 11 were deported back to Mexico while the remainder stayed behind and aided authorities in their investigation.

Following the November traffic stop, authorities conducted raids on multiple properties owned by the Garcias throughout Georgia. They were able to locate Consuelo Garcia's bookkeeping records. In one book she had allegedly kept all of the false names and identities of the migrant workers while a second book contained their true names and passports. The identities of the 14 victims listed in the indictment remain sealed out of fear of retaliation, while several have alleged intimidation following their cooperation with authorities.

As part of the indictment authorities identified 15 properties and 15 vehicles owned by the Garcias and their companies that might be seized or forfeited in the course of the investigation. It is not clear at this time how many of those properties or vehicles were used for the purpose of trafficking humans. Consuelo Garcia, who is also a real estate agent, owns rental property in counties throughout Georgia estimated to be worth over \$1.4 million. She is listed as an "ambassador" for the Moultrie-Colquitt County Chamber of Commerce.



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