

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
HATTIESBURG DIVISION

UNITED STATES OF AMERICA

CRIMINAL NO. *2:09cr09 KS-MTP*

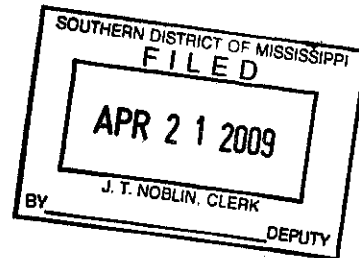
v.

18 U.S.C. § 371  
18 U.S.C. § 1546(b)(3)

JOSE HUMBERTO GONZÁLEZ

The Grand Jury charges:

COUNT 1



1. At all times material to this Indictment, Howard Industries, Inc., was a leading manufacturer of electrical transmission and distribution equipment with a transformer manufacturing facility in Laurel, Mississippi.

2. At all times material to this Indictment, the defendant, **JOSE HUMBERTO GONZÁLEZ**, was the Howard Industries human resources manager responsible for employment of the Spanish-speaking foreign nationals at the Laurel transformer manufacturing plant.

3. From in or about August 2000, until August 25, 2008, in Jones County, in the Hattiesburg Division of the Southern District of Mississippi, the defendant, **JOSE HUMBERTO GONZÁLEZ**, did knowingly and willfully conspire with others known and unknown to the Grand Jury, to commit offenses against the United States as follows:

a. to knowingly encourage and induce an alien to reside in the United States, knowing and in reckless disregard of the fact that such residence is in violation of law, as prohibited by of Section 1324(a)(1)(A)(iv), Title 8, United States Code;

b. to knowingly conceal, harbor, and shield from detection, and attempt to conceal, harbor, and shield from detection, an alien knowing and in reckless disregard of the fact that such alien has come to, entered, or remains in violation of law, as prohibited by of Section 1324(a)(1)(A)(iii), Title 8, United States Code; and

c. to knowingly use a false attestation for the purpose of satisfying a requirement of the employment verification system set forth in subsection 1324a(b), Title 8, United States Code as prohibited by Section 1546(b)(3), Title 18, United States Code.

4. It was a part of the conspiracy that defendant **GONZÁLEZ**, on behalf of Howard Industries, would routinely hire illegal aliens and in the process of such hiring would accept false identity documents, including alien registration receipt cards and Social Security cards.

5. It was further a part of the conspiracy that defendant **GONZÁLEZ** would submit Social Security numbers provided to him by applicants at the Laurel plant to the Social Security Administration to verify their numbers and, after being notified by the Social Security Administration that the Social Security numbers of such applicants were not found to be valid, defendant **GONZÁLEZ** would nonetheless hire and continue to employ such persons.

6. It was also a part of the conspiracy that defendant **GONZÁLEZ** would instruct employees to obtain alternative identity documents which he knew falsely represented their true identities.

7. It was also a part of the conspiracy that defendant **GONZÁLEZ** would assure Spanish-speaking foreign nationals working at the Laurel plant that they would be warned if immigration authorities were coming to the plant.

OVERT ACTS

8. In furtherance of the unlawful conspiracy and for the purpose of effecting the objectives thereof, the following overt acts, among others, were committed:

a. On or about June 1, 2006, **GONZÁLEZ** attested, under penalty of perjury, on a Form I-9 "Employment Eligibility Verification" that he had examined the document(s) presented by the employee utilizing Social Security number XXX-XX-0230, that the document(s) listed on the Form I-9 appeared to be genuine and relate to the employee named therein, and that, to the best of his knowledge, the employee was eligible to work in the United States;

b. On or about July 21, 2006, **GONZÁLEZ** attested, under penalty of perjury, on a Form I-9 "Employment Eligibility Verification" that he had examined the document(s) presented by the employee utilizing Social Security number XXX-XX-2623, that the document(s) listed on the Form I-9 appeared to be genuine and relate to the employee named therein, and that, to the best of his knowledge, the employee was eligible to work in the United States;

c. On or about September 14, 2006, **GONZÁLEZ** attested, under penalty of perjury, on a Form I-9 "Employment Eligibility Verification" that he had examined the document(s) presented by the employee utilizing Social Security number XXX-XX-0840, that the document(s) listed on the Form I-9 appeared to be genuine and relate to the employee named therein, and that, to the best of his knowledge, the employee was eligible to work in the United States;

d. On or about September 14, 2006, **GONZÁLEZ** attested, under penalty of perjury, on a Form I-9 "Employment Eligibility Verification" that he had examined the document(s)

presented by the employee utilizing Social Security number XXX-XX-5714, that the document(s) listed on the Form I-9 appeared to be genuine and relate to the employee named therein, and that, to the best of his knowledge, the employee was eligible to work in the United States;

e. On or about September 19, 2006, **GONZÁLEZ** attested, under penalty of perjury, on a Form I-9 "Employment Eligibility Verification" that he had examined the document(s) presented by the employee utilizing Social Security number XXX-XX-7075, that the document(s) listed on the Form I-9 appeared to be genuine and relate to the employee named therein, and that, to the best of his knowledge, the employee was eligible to work in the United States;

f. On or about November 7, 2006, **GONZÁLEZ** attested, under penalty of perjury, on a Form I-9 "Employment Eligibility Verification" that he had examined the document(s) presented by the employee utilizing Social Security number XXX-XX-7407, that the document(s) listed on the Form I-9 appeared to be genuine and relate to the employee named therein, and that, to the best of his knowledge, the employee was eligible to work in the United States;

g. On or about November 7, 2006, **GONZÁLEZ** attested, under penalty of perjury, on a Form I-9 "Employment Eligibility Verification" that he had examined the document(s) presented by the employee utilizing Social Security number XXX-XX-7748, that the document(s) listed on the Form I-9 appeared to be genuine and relate to the employee named therein, and that, to the best of his knowledge, the employee was eligible to work in the United States;

h. On or about November 7, 2006, **GONZÁLEZ** attested, under penalty of perjury, on a Form I-9 "Employment Eligibility Verification" that he had examined the document(s) presented by the employee utilizing Social Security number XXX-XX-7831, that the document(s) listed on the Form I-9 appeared to be genuine and relate to the employee named therein, and that, to the best of his knowledge, the employee was eligible to work in the United States;

i. On or about November 20, 2006, **GONZÁLEZ** attested, under penalty of perjury, on a Form I-9 "Employment Eligibility Verification" that he had examined the document(s) presented by the employee utilizing Social Security number XXX-XX-8258, that the document(s) listed on the Form I-9 appeared to be genuine and relate to the employee named therein, and that, to the best of his knowledge, the employee was eligible to work in the United States;

j. On or about January 5, 2007, **GONZÁLEZ** attested, under penalty of perjury, on a Form I-9 "Employment Eligibility Verification" that he had examined the document(s) presented by the employee utilizing Social Security number XXX-XX-2271, that the document(s) listed on the Form I-9 appeared to be genuine and relate to the employee named therein, and that, to the best of his knowledge, the employee was eligible to work in the United States;

k. On or about January 22, 2007, **GONZÁLEZ** attested, under penalty of perjury, on a Form I-9 "Employment Eligibility Verification" that he had examined the document(s) presented by the employee utilizing Social Security number XXX-XX-7497, that the document(s) listed on the Form I-9 appeared to be genuine and relate to the employee named

therein, and that, to the best of his knowledge, the employee was eligible to work in the United States;

l. On or about January 27, 2007, **GONZÁLEZ** attested, under penalty of perjury, on a Form I-9 "Employment Eligibility Verification" that he had examined the document(s) presented by the employee utilizing Social Security number XXX-XX-1336, that the document(s) listed on the Form I-9 appeared to be genuine and relate to the employee named therein, and that, to the best of his knowledge, the employee was eligible to work in the United States;

m. On or about February 7, 2007, **GONZÁLEZ** attested, under penalty of perjury, on a Form I-9 "Employment Eligibility Verification" that he had examined the document(s) presented by the employee utilizing Social Security number XXX-XX-4074, that the document(s) listed on the Form I-9 appeared to be genuine and relate to the employee named therein, and that, to the best of his knowledge, the employee was eligible to work in the United States;

n. On or about February 8, 2007, **GONZÁLEZ** attested, under penalty of perjury, on a Form I-9 "Employment Eligibility Verification" that he had examined the document(s) presented by the employee utilizing Social Security number XXX-XX-6301, that the document(s) listed on the Form I-9 appeared to be genuine and relate to the employee named therein, and that, to the best of his knowledge, the employee was eligible to work in the United States;

o. On or about February 8, 2007, **GONZÁLEZ** attested, under penalty of perjury, on a Form I-9 "Employment Eligibility Verification" that he had examined the document(s) presented by the employee utilizing Social Security number XXX-XX-9231, that the

document(s) listed on the Form I-9 appeared to be genuine and relate to the employee named therein, and that, to the best of his knowledge, the employee was eligible to work in the United States;

p. On or about February 21, 2007, **GONZÁLEZ** attested, under penalty of perjury, on a Form I-9 "Employment Eligibility Verification" that he had examined the document(s) presented by the employee utilizing Social Security number XXX-XX-1177, that the document(s) listed on the Form I-9 appeared to be genuine and relate to the employee named therein, and that, to the best of his knowledge, the employee was eligible to work in the United States;

q. On or about February 21, 2007, **GONZÁLEZ** attested, under penalty of perjury, on a Form I-9 "Employment Eligibility Verification" that he had examined the document(s) presented by the employee utilizing Social Security number XXX-XX-0125, that the document(s) listed on the Form I-9 appeared to be genuine and relate to the employee named therein, and that, to the best of his knowledge, the employee was eligible to work in the United States;

r. On or about February 22, 2007, **GONZÁLEZ** attested, under penalty of perjury, on a Form I-9 "Employment Eligibility Verification" that he had examined the document(s) presented by the employee utilizing Social Security number XXX-XX-6477, that the document(s) listed on the Form I-9 appeared to be genuine and relate to the employee named therein, and that, to the best of his knowledge, the employee was eligible to work in the United States;

s. On or about March 12, 2007, **GONZÁLEZ** attested, under penalty of perjury, on a Form I-9 "Employment Eligibility Verification" that he had examined the document(s)

presented by the employee utilizing Social Security number XXX-XX-3208, that the document(s) listed on the Form I-9 appeared to be genuine and relate to the employee named therein, and that, to the best of his knowledge, the employee was eligible to work in the United States;

t. On or about April 2, 2007, **GONZÁLEZ** attested, under penalty of perjury, on a Form I-9 "Employment Eligibility Verification" that he had examined the document(s) presented by the employee utilizing Social Security number XXX-XX-3803, that the document(s) listed on the Form I-9 appeared to be genuine and relate to the employee named therein, and that, to the best of his knowledge, the employee was eligible to work in the United States;

u. On or about April 30, 2007, **GONZÁLEZ** attested, under penalty of perjury, on a Form I-9 "Employment Eligibility Verification" that he had examined the document(s) presented by the employee utilizing Social Security number XXX-XX-3869, that the document(s) listed on the Form I-9 appeared to be genuine and relate to the employee named therein, and that, to the best of his knowledge, the employee was eligible to work in the United States;

v. On or about May 29, 2007, **GONZÁLEZ** attested, under penalty of perjury, on a Form I-9 "Employment Eligibility Verification" that he had examined the document(s) presented by the employee utilizing Social Security number XXX-XX-4951, that the document(s) listed on the Form I-9 appeared to be genuine and relate to the employee named therein, and that, to the best of his knowledge, the employee was eligible to work in the United States;



w. On or about May 29, 2007, **GONZÁLEZ** attested, under penalty of perjury, on a Form I-9 "Employment Eligibility Verification" that he had examined the document(s) presented by the employee utilizing Social Security number XXX-XX-5954, that the document(s) listed on the Form I-9 appeared to be genuine and relate to the employee named therein, and that, to the best of his knowledge, the employee was eligible to work in the United States;

x. On or about June 22, 2007, **GONZÁLEZ** attested, under penalty of perjury, on a Form I-9 "Employment Eligibility Verification" that he had examined the document(s) presented by the employee utilizing Social Security number XXX-XX-2345, that the document(s) listed on the Form I-9 appeared to be genuine and relate to the employee named therein, and that, to the best of his knowledge, the employee was eligible to work in the United States;

All in violation of Section 371, Title 18, United States Code.

#### COUNTS 2-25

9. The allegations in paragraphs 1 through 7 of Count 1 are repeated and incorporated by reference as though fully set forth in this count.


10. From in or about June 2006 until in or about June 2007, in Jones County, in the Hattiesburg Division of the Southern District of Mississippi, the defendant, **JOSE HUMBERTO GONZÁLEZ**, for the purpose of satisfying a requirement of the employment verification system set forth in subsection 1324a(b), Title 8, United States Code, used a false attestation on a Form I-9 "Employment Eligibility Verification," knowing that the said attestation was false, in that defendant **GONZÁLEZ** falsely attested that he had examined the document(s) presented by the employee and that the document(s) listed on the Form I-9 appeared to be genuine and relate to the employee named

therein, and that, to the best of his knowledge, the employee was eligible to work in the United States, as described more specifically below, each being a separate count herein as follows:

| <b>Count</b> | <b>Date I-9 Attested</b> | <b>Social Security Number</b> |
|--------------|--------------------------|-------------------------------|
| 2            | 6/1/06                   | XXX-XX-0230                   |
| 3            | 7/21/06                  | XXX-XX-2623                   |
| 4            | 9/14/06                  | XXX-XX-0840                   |
| 5            | 9/14/06                  | XXX-XX-5714                   |
| 6            | 9/19/06                  | XXX-XX-7075                   |
| 7            | 11/7/06                  | XXX-XX-7407                   |
| 8            | 11/7/06                  | XXX-XX-7748                   |
| 9            | 11/7/06                  | XXX-XX-7831                   |
| 10           | 11/20/06                 | XXX-XX- 8258                  |
| 11           | 1/5/07                   | XXX-XX-2271                   |
| 12           | 1/22/07                  | XXX-XX-7497                   |
| 13           | 1/27/07                  | XXX-XX-1336                   |
| 14           | 2/7/07                   | XXX-XX-4074                   |
| 15           | 2/8/07                   | XXX-XX-6301                   |
| 16           | 2/8/07                   | XXX-XX-9231                   |
| 17           | 2/21/07                  | XXX-XX-1177                   |
| 18           | 2/21/07                  | XXX-XX-0125                   |
| 19           | 2/22/07                  | XXX-XX-6477                   |
| 20           | 3/12/07                  | XXX-XX-3208                   |
| 21           | 4/2/07                   | XXX-XX-3803                   |
| 22           | 4/30/07                  | XXX-XX-3869                   |

| Count | Date I-9 Attested | Social Security Number |
|-------|-------------------|------------------------|
| 23    | 5/29/07           | XXX-XX-4951            |
| 24    | 5/29/07           | XXX-XX-5954            |
| 25    | 6/22/07           | XXX-XX-2345            |

All in violation of Sections 1546(b)(3) and 2, Title 18, United States Code.



STAN HARRIS  
Acting United States Attorney

A TRUE BILL:

s/ signature redacted

Foreperson of the Grand Jury

CRIMINAL CASE COVER SHEET

U.S. District Court

PLACE OF OFFENSE:

RELATED CASE INFORMATION:

CITY: \_\_\_\_\_

SUPERSEDING INDICTMENT \_\_\_\_\_ DOCKET # 2:09cr913-MTP

COUNTY: JONES

SAME DEFENDANT \_\_\_\_\_ NEW DEFENDANT \_\_\_\_\_

MAGISTRATE JUDGE CASE NUMBER: \_\_\_\_\_

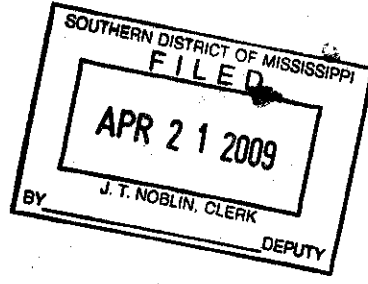
R 20/ R 40 FROM DISTRICT OF \_\_\_\_\_

DEFENDANT INFORMATION:

JUVENILE: \_\_\_\_\_ YES  NO

MATTER TO BE SEALED:  YES \_\_\_\_\_ NO

NAME/ALIAS: JOSE HUMBERTO GONZÁLEZ



U.S. ATTORNEY INFORMATION:

AUSA GAINES CLEVELAND BAR # 6300

INTERPRETER:  NO \_\_\_\_\_ YES LIST LANGUAGE AND/OR DIALECT:

LOCATION STATUS: ARREST DATE \_\_\_\_\_

\_\_\_ ALREADY IN FEDERAL CUSTODY AS OF ( \_\_\_\_\_ )

\_\_\_ ALREADY IN STATE CUSTODY

\_\_\_ ON PRETRIAL RELEASE

U.S.C. CITATIONS

TOTAL # OF COUNTS: 25 \_\_\_\_\_ PETTY \_\_\_\_\_ MISDEMEANOR  FELONY

(CLERK'S OFFICE USE ONLY) INDEX KEY/CODE DESCRIPTION OF OFFENSE CHARGED COUNT(S)

Set 1 18:371.F 18 USC 371 CONSPIRACY TO DEFRAUD 1

Set 2 18:1546.F 18 USC 1546(b)(3) FRAUD/MISUSE OF IDENTIFICATION DOCUMENTS 2-25

Date: 4/20/09 SIGNATURE OF AUSA: Gaines Cleveland by JMD