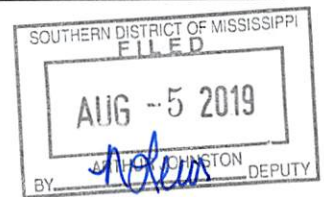


UNITED STATES DISTRICT COURT

for the
Southern District of Mississippi

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

PECO FOODS
1039 West Fulton Street, Canton, MS 39046
as described in Attachment A

Case No.

3:19mj 207 LRA

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A.

located in the Southern District of Mississippi, there is now concealed (identify the person or describe the property to be seized):

See Attachment B.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☐ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
8 USC 1324(a)	Unlawful Employment of Aliens

The application is based on these facts:

See affidavit of SA Anthony Todd Williams, Jr., which is attached and incorporated by reference herein.

- ☒ Continued on the attached sheet.
☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Applicant's signature

Anthony Todd Williams, Jr., SA HSI

Printed name and title

Sworn to before me and signed in my presence.

Date: 08/05/2019

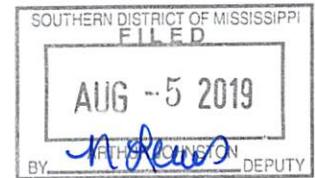
City and state: Jackson, MS

Judge's signature

Linda R. Anderson, United States Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION



IN THE MATTER OF THE SEARCH OF
PECO FOODS
1039 WEST FULTON STREET
CANTON, MS 39046

Case No. 3:19mj207LRA

Filed Under Seal

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

I, Anthony Todd Williams Jr., being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application for a search warrant to search the following premises and seize the items listed in Attachment B:

a. The business is located at 1039 West Fulton Street, Canton, Mississippi 39046, and its curtilage and outbuildings, appurtenances, and attached and detached garages and vehicles and trailers located on such curtilage, including any and all parking lots; more particularly described in Attachment A.

2. This affidavit sets forth facts establishing probable cause to believe that PECO FOODS and others are willfully and unlawfully employing illegal aliens in violation of Federal Law and within the locations which are further described in Attachment A, currently exists those items, set forth in Attachment B, which constitutes evidence, instrumentalities, contraband and/or fruits of the violations.

3. I am a Special Agent with Homeland Security Investigations ("HSI"), within United States Immigration and Customs Enforcement ("ICE"). I am assigned to the Office of the Resident Agent in Charge, Jackson, Mississippi. I have been trained specifically in the

investigation and elements of federal crimes at the Federal Law Enforcement Training Center at Glynco, Georgia. I hold Bachelors of Art and Masters of Science degrees in Criminal Justice from the University of Southern Mississippi. I am also a graduate of the United States Border Patrol Academy at the Federal Law Enforcement Training Center in Artesia, New Mexico. I have approximately 10 years of experience as a federal law enforcement officer and criminal investigator.

4. My experience as a federal law enforcement officer and criminal investigator includes the investigation and prosecution of violations of criminal laws relating to unlawful entry, employment, and physical presence in the United States of individuals subject to the Immigration and Nationality Act. My current duties include conducting criminal investigations of violations of Federal Statutes and administrative violations of the Immigration and Nationality Act and Title 18 of the United States Code. As part of these duties, I have become involved in the investigation of suspected violations of Title 8, United States Code, Section 1324(a), Unlawful Employment of Aliens. Through formal and on the job training, I am experienced in crimes involving the unlawful employment of aliens. I have participated in the execution of numerous search warrants for documents and other evidence, including computers and electronic media.

5. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter. This affidavit is based on my knowledge arising from my participation in this investigation; upon information provided to me by other HSI agents, law enforcement officers and government officials jointly participating in this investigation. Because this affidavit is being submitted for

the limited purpose of establishing probable cause for the issuance of a search warrant, it does not contain every fact known to me or other agents of HSI.

6. Section 274A of the Immigration and Reform Act of 1986 (IRCA) contains provisions which require all employers to verify the employment eligibility of all new employees hired after November 6, 1986. The Form I-9 (Employment Eligibility Verification), hereto referred to as the Form I-9, was developed for verifying that persons are eligible to work in the United States. Employers must ensure the Form I-9 is completed every time a person is hired to perform labor or services in return for wages or other remuneration. Any person who, during any 12-month period, knowingly hires for employment at least 10 individuals with actual knowledge that the individuals are unauthorized aliens is in violation of Title 8 United States Code 1324(a)(3)(A).

7. Intentional hiring of unauthorized aliens is a violation of Title 8 United States Code, Section 1324(a). A person or entity which engages in a pattern and practice of violations in this Section shall be fined no more than \$3000 for each unauthorized alien with whom such a violation occurs, imprisoned for not more than six months for the entire pattern or practice, or both, notwithstanding the provisions of any other Federal law relating to fine levels.

8. A person who violates Title 8, United States Code, Section 1324, subparagraph (A), and in which the offense was done for the purpose of commercial advantage or private financial gain is in violation of Title 8, United States Code, Section 1324(a)(1)(B)(i).

9. Intentional false statements, by making or using any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement on the Form I-9 is a felony violation of Title 18 United States Code, Section 1001.

10. The Form I-9 is comprised of three Sections. Section 1 is to be completed by the employee at the time of hire. This Section contains the fields of name, address, date of birth, social security number, and the attestation of the employee as to their immigration status in the United States. Section 2 is to be completed by the employer and consists of three separate columns for List A, List B, and List C documents. The employer is required to examine original documents presented by an employee and then complete this Section within three (3) days of the date the employment begins. Some documents such as United States Passports, Certificates of Naturalization, Alien Registration Cards or Employment Authorization Cards establish both identity and employment eligibility (List A). Other documents such as Drivers Licenses, and Voter Registrations Cards establish identity only (List B), while documents such as Social Security Cards and birth certificates establish employment eligibility only (List C). In order for an employee to be deemed eligible to work by the employer, that employer must examine both one (1) document from List A, or one document from List B and one document from List C. If employees are unable to present the required document(s) within 3 business days of the date the employment begins, they must present a receipt for the application for the document within three business days. Employers must retain all I-9(s) for 3 years after the date of employment begins or 1 year after the person's employment is terminated, whichever is later. Section 3 is completed by the employer to re-verify the employment authorization for current employees. When an employee's work authorization expires, employers are required to re-verify on the form I-9 not later than the date the employee's work authorization expires.

11. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that violations of Title 8 and Title 18 of United States Code have been committed by PECO FOODS and others. There is also probable cause to search the

premises described in Attachment A for evidence of these crimes and contraband or fruits of these crimes, as described in Attachment B.

PROBABLE CAUSE

12. Open source queries for PECO FOODS revealed website <http://www.pecofoods.com>. According to the website's homepage, PECO FOODS is a fully integrated poultry processing and packaging company with a corporate office located in Tuscaloosa, Alabama, and processing plants throughout Mississippi, Alabama, and Arkansas. According to the website's "About Us" page, PECO FOODS is the eighth largest poultry producer in the United States producing 24 million pounds of poultry per week, and is privately held and family managed. The website's "About Us" page lists processing plants in the below locations:

Tuscaloosa, Alabama

Bay Springs, Mississippi

Sebastopol, Mississippi

Canton, Mississippi

Brooksville, Mississippi

Batesville, Arkansas

Pocahontas, Arkansas

The website's "About Us" page lists live operations offices in the below locations:

Gordo, Alabama

Bay Springs, Mississippi

Sebastopol, Mississippi

Philadelphia, Mississippi

Batesville, Arkansas

Pocahontas, Arkansas

13. The website's "About Us" page lists feed mills in the below locations:

Gordo, Alabama

Bay Springs, Mississippi

Lake, Mississippi

Philadelphia, Mississippi

Newark, Arkansas

Corning, Arkansas

14. The website's "About Us" page lists hatcheries in the below locations:

Gordo, Alabama

Sebastopol, Mississippi

Philadelphia, Mississippi

Batesville, Arkansas

Pocahontas, Arkansas

HISTORICAL ICE ENCOUNTERS/ARRESTS

15. Queries of the Enforcement Integrated Database Arrest Graphic User Interface for Law Enforcement (EAGLE) revealed approximately 222 historical ICE encounters and/or arrests (from November 18, 2002 to June 13, 2019) of illegal aliens who during processing indicated employment at PECO FOODS. In addition to indicating employment at PECO FOODS, numerous of the illegal aliens presented agents with PECO FOODS employment identification documents (IDs), containing their photographs and assumed identities utilized for employment.

16. On June 20, 2012, Leonel Gomez-Gomez, a Guatemalan national, was encountered by the Jackson, Mississippi, ICE Enforcement and Removal Operations (ERO) office during Criminal Alien Program (CAP) checks at the Madison County Jail in Canton, Mississippi. According to ICE records, Gomez-Gomez admitted to being a citizen of Guatemala and did not possess legal documents to work or reside in the United States. Gomez-Gomez was administratively arrested by ERO Jackson. ICE records listed the “Name and Address of (Last)(Current) United States Employer” as “PECO FOODS US.” During processing Gomez-Gomez presented a Peco Foods ID card. The front face of the PECO FOODS ID card contained the below identifiers:

A photograph appearing to be Leonel Gomez-Gomez

The name Gustavo Oropeza Jr.

“Peco Foods, Inc.”

The back of the PECO FOODS ID card contained the below identifiers:

“This card is the property of PECO.”

“If you are going to be absent or late, please telephone your Supervisor or Personnel immediately at 601-859-6161.”

“If found please drop in any United States Mailbox

Return Postage Guaranteed

Peco Foods, Inc

P.O.Box 419

Canton, MS 39046”

17. Open source queries for phone number 601-859-6161 revealed website www.pecofoods.com/contacts.php. The PECO FOODS webpage listed contact information for all their locations including:

“Peco Foods, Inc. – Canton West Fulton Street Processing Plant

1039 West Fulton Street

Canton, MS 39046

Phone: (601) 859-6161”

18. On January 8, 2014, Lucas Santizo-Carmelo, a Guatemalan national, was encountered by the Jackson, Mississippi, ICE ERO office during CAP checks at the Madison County Jail in Canton, Mississippi. According to ICE records, Santizo-Carmelo admitted to being a citizen of Guatemala and did not possess legal documents to work or reside in the United States. Santizo-Carmelo was administratively arrested by ERO Jackson. ICE records listed the “Name and Address of (Last)(Current) United States Employer” as “PECO FOODS.” During processing Santizo-Carmelo presented a PECO FOODS ID card. The front face of the PECO FOODS ID card contained the below identifiers:

A photograph appearing to be Lucas Santizo-Carmelo

The name Ricardo Loera

“Peco Foods, Inc.”

The back of the PECO FOODS ID card contained the below identifiers:

“This card is the property of PECO.”

“If you are going to be absent or late, please telephone your Supervisor or Personnel immediately at 601-859-6161.”

“If found please drop in any United States Mailbox

Return Postage Guaranteed

Peco Foods, Inc

P.O.Box 419

Canton, MS 39046”

19. On July 26, 2017, Gilberto Rafael Romero-Lopez, a Guatemalan national, was encountered by the Jackson, Mississippi, ICE ERO office during a Field Operation Worksheet (FOW) search in Canton, Mississippi for the subject. According to ICE records, ICE officers received information that the subject was possibly working at PECO FOODS in Canton, Mississippi. ICE officers made contact with the plant manager and human resources staff. A Spanish translator employed by PECO FOODS recognized a photo of the subject as an employee working in the plant. PECO FOODS Management escorted the identified employee into a private conference room. ICE Officers were able to positively identify the individual as Gilberto Rafael Romero-Lopez, the target of the FOW, using a photograph from his previous immigration encounter. ICE officers identified themselves as Deportation Officers with ICE and requested identification from the subject. Subject stated that his name was Benivamonde Martin. During the interview with ICE officers, Romero-Lopez admitted to being a citizen of Guatemala and did not possess legal documents to work or reside in the United States. Romero-Lopez was administratively arrested by ERO Jackson and transported for processing. PECO FOODS provided ICE officers with a “Peco Foods of Mississippi, Inc. Employee Detail” printout associated with Romero-Lopez. It contained a photograph of Gilberto Rafael Romero-Lopez and listed the below information:

Personal

Martin Benivamonde

Date of Birth: 07/24/XXXX

SSN: XXX-XX-5396

Administrative

Location: West Fulton Street Plant

Department: 104 Debone Days

Title: DAYS (REHIRE)

Employee ID: 7849

Status: Active

Hours: Full-Time

Hire Date: 05/30/2017

Supervisor: Clara Kincaid

20. Analysis of the above “Peco Foods of Mississippi, Inc. Employee Detail” printout for Gilberto Rafael Romero-Lopez revealed he was working at the PECO FOODS, Inc. – Canton West Fulton Street Processing Plant (1039 West Fulton Street, Canton, MS 39046) at the time of his arrest by ICE on July 26, 2017.

21. During processing Romero-Lopez presented a PECO FOODS ID card. The front face of the PECO FOODS ID card contained the below identifiers:

A photograph appearing to be Gilberto Rafael Romero-Lopez

The name Martin Benivamonde

“Peco Foods, Inc.”

The back of the Peco Foods ID card contained the below identifiers:

“This card is the property of PECO.”

“If you are going to be absent or late, please telephone your Supervisor or Personnel immediately at 601-855-5001.”

“If found please drop in any United States Mailbox

Return Postage Guaranteed

Peco Foods, Inc

P.O. Box 419

Canton, MS 39046”

22. Open source queries for phone number 601-855-5001 revealed website

https://iaspub.epa.gov/triexplorer/release_fac_profile?TRI=39046MRSHLOLDLFL&year=2010&trilib=TRIQ1&FLD=&FLD=&FLD=&OFFDISPD=&OTHDISPD=&ONDISPD=&OTHOFFD

=. The United States Environmental Protection Agency website contained a Facility Profile Report for PECO FOODS Inc., and listed the below information:

“TRI Facility Name: Peco Foods Inc.

Address: 1039 W Fulton St, Canton Mississippi 39046 (Madison)

County: Madison

Public Contact: Charles A. Pierce

Phone Number: 601-855-5001

ALTERNATIVES TO DETENTION

23. ICE routinely utilizes the Alternatives to Detention (ATD) Program for subjects in ICE custody. The Alternatives to Detention Program is a flight-mitigation tool that uses technology and case management to ensure compliance with release conditions and facilitate alien compliance with court hearings and final orders of removal while allowing aliens to remain in their community contributing to their families, community organizations, and, if necessary,

wrapping-up their affairs in the United States as they move through immigration proceedings. The ATD Program is not a substitute for detention nor is it used as a removal tool; however, the program may be appropriate for an alien who is released pursuant to: an Order of Release on Recognizance (OREC), an Order of Supervision (OSUP), a grant of parole; or a bond (unless the immigration judge or board of immigration appeals has determined custody and did not include ATD as a provision). To be eligible for the ATD program participants must be adults 18 years of age or older, be removable, and be at some stage of immigration proceedings. The ATD Program supervises participants, with contractor support, utilizing a combination of home visits, office visits, alert response, court tracking, and technology. The current government contractor (BI Inc.) for ATD operates under the Intensive Supervision Appearance Program (ISAP). The contract known as ISAP III allows ATD officers the ability to determine the frequency of home and office visits, types of technology, telephonic, GPS or SmartLink, court and alert management. Case management levels and technology assignment can be reviewed and adjusted by the ATD officer at any time depending upon change in circumstances and compliance.

24. The ATD Program utilizes three (3) different forms of technology that help monitor participants while enrolled in the program. The forms of technology include:

- a. Telephonic reporting utilizes a participant's voice to create a biometric voiceprint during the enrollment process, every time the participant calls in his/her voice is compared against the voiceprint.
- b. GPS monitoring requires at least three (3) satellites to locate a unit attached to the participant's ankle. When a participant is within range of more than three satellites a GPS unit give more accurate data regarding the participant's location.

- c. SmartLink enables ATD officers and case specialists to keep participants focused on the conditions of release via their smartphone or tablet, they are able to verify a participant's identity, determine their location, and quickly collect status change information.

25. Enrollment in the ATD program does not grant any immigration benefits including employment authorization.

ILLEGAL ALIENS ENROLLED IN ATD & EMPLOYED BY PECO FOODS

26. Queries of the subjects enrolled in the ICE ERO Jackson ATD program revealed 21 illegal aliens worked at PECO FOODS processing plants in Mississippi. Of the 21 identified illegal aliens currently working at PECO FOODS processing plants in Mississippi, 14 illegal aliens, as of July 29, 2019, worked at the PECO FOODS processing plant in Canton, Mississippi (1039 West Fulton Street, Canton, Mississippi 39046.)

27. Below are examples of subjects currently enrolled in the ICE/ERO Jackson ATD program who have reported working for PECO FOODS and the analysis of historical GPS coordinates for the subjects, along with their history:

28. On April 24, 2016, Yuri Diaz-Sanchez, a Guatemalan national, was encountered by USBP agents near San Luis, Arizona. At the time of the encounter, USBP agents determined Diaz-Sanchez did not possess legal documents to work or reside in the United States. Diaz-Sanchez was administratively arrested by USBP and transported for processing. Diaz-Sanchez was processed as a Notice to Appear and turned over to ICE for custody determination. Diaz-Sanchez provided ICE with an address of 611 Terry Lane, Carthage, Mississippi, was enrolled in the ICE ERO ATD program, and placed on GPS monitoring pending removal from the United States.

29. Queries of the historical GPS coordinates associated with Yuri Diaz-Sanchez's electronic monitoring ankle bracelet revealed numerous daily captured coordinates located within the PECO FOODS Canton West Fulton Street Processing Plant. Historical GPS coordinates also revealed Diaz-Sanchez travels from Carthage, Mississippi, to the PECO FOODS Canton West Fulton Street Processing Plant multiple times a week. Upon arriving at the PECO FOODS Canton West Fulton Street Processing Plant, Diaz-Sanchez remains on the PECO FOODS Canton West Fulton Street Processing Plant property for approximately 10 hours. For example, on April 11, 2019, at approximately 5:30 am Diaz-Sanchez left her residence and began travelling to the PECO FOODS Canton West Fulton Street Processing Plant. Diaz-Sanchez arrived at the PECO FOODS Canton West Fulton Street Processing Plant at approximately 6:10 am. Diaz-Sanchez remained at the PECO FOODS Canton West Fulton Street Processing Plant until approximately 3:14 pm, when she departed and returned to her residence.

30. Record checks for Yuri Diaz-Sanchez revealed she does not have employment authorization from the United States Department of Homeland Security.

31. On August 17, 2015, Fabiola Gabriel-Coronado, a Guatemalan national, was encountered by USBP agents near the Rio Grande Valley, Texas, area. At the time of the encounter, USBP agents determined Gabriel-Coronado did not possess legal documents to work or reside in the United States. Gabriel-Coronado was administratively arrested by USBP and transported for processing. Gabriel-Coronado was processed as a Re-instate and turned over to ICE for custody determination. Gabriel-Coronado provided ICE with an address of 315 Harvey Watkins Drive South, Madison, Mississippi, was enrolled in the ICE ERO ATD program, and placed on GPS monitoring pending removal from the United States.

32. Queries of the historical GPS coordinates associated with Fabiola Gabriel-Coronado's electronic monitoring ankle bracelet revealed numerous daily captured coordinates located within the PECO FOODS Canton West Fulton Street Processing Plant. Historical GPS coordinates also revealed Gabriel-Coronado travels from Madison, Mississippi, to the PECO FOODS Canton West Fulton Street Processing Plant multiple times a week. Upon arriving at the PECO FOODS Canton West Fulton Street Processing Plant, Gabriel-Coronado remains on the PECO FOODS Canton West Fulton Street Processing Plant property for approximately 10 hours. For example, on July 25, 2019, at approximately 10:50 pm Gabriel-Coronado left her residence and began travelling to the PECO FOODS Canton West Fulton Street Processing Plant. Gabriel-Coronado arrived at the PECO FOODS Canton West Fulton Street Processing Plant at approximately 10:55 pm. Gabriel-Coronado remained at the PECO FOODS Canton West Fulton Street Processing Plant until approximately 7:55 am on July 26, 2019, when she departed.

33. Record checks for Fabiola Gabriel-Coronado revealed she does not have employment authorization from the United States Department of Homeland Security.

34. On May 14, 2018, Albertina Gonzalez-Ramirez, a Guatemalan national, was encountered by USBP agents near the Rio Grande Valley, Texas, area. At the time of the encounter, USBP agents determined Gonzalez-Ramirez did not possess legal documents to work or reside in the United States. Gonzalez-Ramirez was administratively arrested by USBP and transported for processing. Gonzalez-Ramirez was processed as a Notice to Appear and turned over to ICE for custody determination. Gonzalez-Ramirez provided ICE with an address of 305 Fernwood Drive South, Carthage, Mississippi, was enrolled in the ICE ERO ATD program, and placed on GPS monitoring pending removal from the United States.

35. Queries of the historical GPS coordinates associated with Albertina Gonzalez-Ramirez's electronic monitoring ankle bracelet revealed numerous daily captured coordinates located within the PECO FOODS Canton West Fulton Street Processing Plant. Historical GPS coordinates also revealed Gonzalez-Ramirez travels from Carthage, Mississippi, to the PECO FOODS Canton West Fulton Street Processing Plant multiple times a week. Upon arriving at the PECO FOODS Canton West Fulton Street Processing Plant, Gonzalez-Ramirez remains on the PECO FOODS Canton West Fulton Street Processing Plant property for approximately 10 hours. For example, on July 25, 2019, at approximately 10:20 pm Gonzalez-Ramirez left Carthage, Mississippi, and began travelling to the PECO FOODS Canton West Fulton Street Processing Plant. Gonzalez-Ramirez arrived at the PECO FOODS Canton West Fulton Street Processing Plant at approximately 10:50 pm. Gonzalez-Ramirez remained at the PECO FOODS Canton West Fulton Street Processing Plant until approximately 8:23 am, when she departed and returned to Carthage, Mississippi.

36. Record checks for Albertina Gonzalez-Ramirez revealed she does not have employment authorization from the United States Department of Homeland Security.

INTERVIEWS OF ATD ENROLLEES WORKING AT PECO FOODS

37. On May 08, 2019, HSI SA Todd Williams and ICE ERO Deportation Officer (DO) Francisco Ayala conducted an interview of Brenda Soledad Lopez-Lopez at the HSI Jackson, Mississippi office. During the interview, Lopez-Lopez stated that she is a Guatemalan national that illegally entered the United States on or about August 2018. Lopez-Lopez stated that she has been employed at the PECO FOODS chicken processing plant in Canton, Mississippi, (1039 West Fulton Street, Canton, MS) for approximately eight to nine months. According to Lopez-Lopez she illegally purchased a fraudulent Tennessee identification

document (ID) containing her photograph, a copy of a social security card, and a copy of a United States birth certificate from an unknown Guatemalan female known as “Aura” for approximately \$600.00. Lopez-Lopez stated that all three documents contained the personal identifying information (PII) belonging to Shaela P. Cortez.

38. A search of Mississippi Department of Employment Security records containing Employer’s Quarterly Wages for PECO FOODS, revealed on the first quarter of 2019, Shaela P. Cortez (social security number XXX-XX-0189) earned \$6,792.13. Additional analysis of PECO FOODS first quarter of 2019 wages revealed Brenda Soledad Lopez-Lopez was not earning wages.

39. On May 14, 2019, HSI SA Todd Williams and ICE DO Francisco Ayala conducted an interview of Yuri Diaz-Sanchez at the HSI Jackson, Mississippi office. During the interview, Diaz-Sanchez stated that she is a Guatemalan national that illegally entered the United States approximately three years ago with her two Guatemalan children. Diaz-Sanchez stated that she has been employed at the PECO FOODS chicken processing plant in Canton, Mississippi, (1039 West Fulton Street, Canton, MS) for approximately two years. According to Diaz-Sanchez she illegally purchased a fraudulent Tennessee identification document (ID) containing her photograph, and the personal identifying information (PII) belonging to Elizabeth Dominguez to gain employment at PECO FOODS.

40. A search of Mississippi Department of Employment Security records containing Employer’s Quarterly Wages for PECO FOODS, revealed on the first quarter of 2019, Elizabeth Dominguez (social security number XXX-XX-0073) earned \$6,442.31. Additional analysis of PECO FOODS first quarter of 2019 wages revealed Yuri Diaz-Sanchez was not earning wages.

RECENT ARRESTS OF ILLEGAL ALIENS EMPLOYED BY PECO FOODS

41. On June 04, 2019, ICE officers encountered Edwin Westphal Ramirez-Cardona, an illegal alien from Guatemala, while conducting Criminal Alien Program (CAP) duties at the Madison County Detention Center in Canton, Mississippi. Ramirez-Cardona, was administratively arrested by ICE officers and transported to the ERO Jackson, Mississippi, office for administrative processing.

42. During administrative processing, Edwin Westphal Ramirez-Cardona stated he was currently employed at the PECO FOODS chicken processing plant in Canton, Mississippi, (1039 West Fulton Street, Canton, Mississippi) as a chicken packer on the night shift (i.e., 11:00 pm – 9:00 am.) Ramirez-Cardona stated that he has worked at PECO FOODS for the past two years and utilized the name Juan Luciano to gain employment. According to Ramirez-Cardona, he paid approximately \$300.00 to an unknown subject to purchase the social security number he utilized to gain employment.

43. A search of Mississippi Department of Employment Security records containing Employer's Quarterly Wages for PECO FOODS, revealed on the first quarter of 2019, Juan C Luciano (social security number XXX-XX-3480) earned \$9,467.90. Additional analysis of PECO FOODS first quarter of 2019 wages revealed Edwin Westphal Ramirez-Cardona was not earning wages.

44. On June 06, 2019, HSI SA Todd Williams and ICE DO Francisco Ayala conducted a telephonic interview of aggravated identity theft victim Juan Carlos Martinez-Luciano. During the interview, Martinez-Luciano, a native of Puerto Rico, acknowledged that he knew his personal identifying information (PII) was compromised. According to Martinez-Luciano, approximately a year ago he lost his wallet along with his identification documents

(IDs) in Puerto Rico. Martinez-Luciano stated that he was recently contacted by the Internal Revenue Service (IRS) via mail, and informed that an unknown subject had utilized his PII to illegally gain employment in the United States. Martinez-Luciano stated that he has never worked at PECO FOODS in Mississippi. Additionally, Martinez-Luciano stated that he has never given anyone permission to utilize his PII to gain employment.

45. On June 13, 2019, ICE officers encountered Jaime Orlando Agustin-Felix, an illegal alien from Guatemala, while conducting CAP duties at the Madison County Detention Center in Canton, Mississippi. Agustin-Felix, was administratively arrested by ICE officers and transported to the ERO Jackson, Mississippi, office for administrative processing.

46. During administrative processing, Jaime Orlando Agustin-Felix stated he was currently employed at the PECO FOODS chicken processing plant in Canton, Mississippi, (1039 West Fulton Street, Canton, Mississippi) on the cleaning crew (i.e., 4:00 pm to 10:00 pm.) Agustin-Felix stated that he has worked at PECO FOODS for the past 12 years and utilized his birth given name Jaime Orlando Agustin-Felix to gain employment.

47. A search of Mississippi Department of Employment Security records containing Employer's Quarterly Wages for PECO FOODS, revealed on the first quarter of 2019, Jaime Agustin (social security number XXX-XX-8392) earned \$8,319.61.

48. Additional record checks for social security number XXX-XX-8392, utilized by Jaime Orlando Agustin-Felix to work at PECO FOODS revealed negative results, suggesting the number has never been assigned.

49. On July 09, 2019, ICE officers encountered Byron Vicente Lopez-Perez, an illegal alien from Guatemala, while conducting CAP duties at the Madison County Detention

Center in Canton, Mississippi. Lopez-Perez, was administratively arrested by ICE officers and transported to the ERO Jackson, Mississippi, office for administrative processing.

50. On July 09, 2019, at approximately 11:30 am, HSI SA Todd Williams and ICE ERO DO Francisco Ayala conducted an interview of Byron Vicente Lopez-Perez at the HSI/ERO Jackson, Mississippi office. During the interview, Lopez-Perez stated he was currently employed at the PECO FOODS chicken processing plant in Canton, Mississippi, (1039 West Fulton Street, Canton, Mississippi) as a forklift driver on the day shift (i.e., 7:00 am to 5:00 pm.) Lopez-Perez stated that he has worked at PECO FOODS for the past 4 years and utilized the personal identifying information of Manuel Garcia to gain employment. According to Lopez-Perez, he paid approximately \$1,000.00 to an unknown subject to purchase the Tennessee identification document and social security number he utilized to gain employment.

51. A search of Mississippi Department of Employment Security records containing Employer's Quarterly Wages for PECO FOODS, revealed on the first quarter of 2019, Manuel Garcia (social security number XXX-XX-1421) earned \$12,110.56 and Manuel Garcia (social security number XXX-XX-6337) earned \$10,189.66. Additional analysis of PECO FOODS first quarter of 2019 wages revealed Byron Vicente Lopez-Perez was not earning wages.

52. This affidavit is being submitted simultaneously with an administrative warrant for inspection to search at Peco Foods, Inc. – Canton West Fulton Street Processing Plant, located at 1039 West Fulton Street Canton, MS 39046, for persons believed to be working in the United States without authorization.

CONCLUSION

53. Based on the facts and information as stated in this affidavit and my training and experience, I submit that this affidavit supports probable cause for a warrant to search the PREMISES described in Attachment A to seize the items described in Attachment B.

54. Based upon my training and experience, combined with the facts and observations set forth in the foregoing paragraphs, I have reason to believe and do believe there exists probable cause that evidence of violations of Title 8, United States Code, Section 1324(a), Unlawful Employment of Aliens, Title 18, United States Code, Section 1001, Title 18, United States Code, Section 1546(a), Fraud and misuse of visas, permits, and other documents to gain employment, Title 18, United States Code, Section 1028(a)(7), Fraud and related activity in connection with identification documents, authentications features, and information, Title 18, United States Code, Section 1015(e), False statement to obtain benefits or employment, Title 18, United States Code, Section 911, False claim to be a Citizen of the United States, and Title 42, United States Code, Section 408(a)(7)(B), Use of Unauthorized Social Security Number, and fruits of such crimes or property designed, intended for or used for such crimes are located at the PREMISES described in Attachment A.

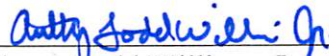
55. In consideration of the facts presented, I respectfully request that this Court issue a search warrant for the premises located at 1039 West Fulton Street, Canton, Mississippi 39046, and all appurtenances thereto as more fully described in Attachment A and authorize the seizure of the items described in Attachment B to this Affidavit.

REQUEST FOR SEALING

56. I further request that the Court order that all papers in support of this application, including the affidavit and search warrant, be sealed until further order of the Court. These

documents discuss an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation.

Respectfully submitted,



Anthony Todd Williams Jr.
Special Agent
US Immigration and Customs Enforcement
Homeland Security Investigations

Subscribed and sworn to before me on the 5th day of August, 2019.



LINDA R. ANDERSON
UNITED STATES MAGISTRATE JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION



IN THE MATTER OF THE SEARCH OF
PECO FOODS
1039 WEST FULTON STREET
CANTON, MS 39046

Case No. 3:19mj 208 LRA

Filed Under Seal

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR AN ADMINISTRATIVE SEARCH WARRANT**

I, Anthony Todd Williams Jr., being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application for an administrative search warrant to search the following premises and seize the items listed in Attachment B:
 - a. The business is located at 1039 West Fulton Street, Canton, Mississippi 39046, and its curtilage and outbuildings, appurtenances, and attached and detached garages and vehicles and trailers located on such curtilage, including any and all parking lots and persons inside vehicles; more particularly described in Attachment A.
2. This affidavit is submitted in support of an application, pursuant to Title 8, United States Code, Section 1357, for a warrant to search the premises of PECO FOODS (1039 West Fulton Street, Canton, Mississippi 39046) for undocumented illegal aliens.
3. I am a Special Agent with Homeland Security Investigations ("HSI"), within United States Immigration and Customs Enforcement ("ICE"). I am assigned to the Office of the Resident Agent in Charge, Jackson, Mississippi. I have been trained specifically in the investigation and elements of federal crimes at the Federal Law Enforcement Training Center at Glynco, Georgia. I hold Bachelors of Art and Masters of Science degrees in Criminal Justice

from the University of Southern Mississippi. I am also a graduate of the United States Border Patrol Academy at the Federal Law Enforcement Training Center in Artesia, New Mexico. I have approximately 10 years of experience as a federal law enforcement officer and criminal investigator.

4. My experience as a federal law enforcement officer and criminal investigator includes the investigation and prosecution of violations of criminal laws relating to unlawful entry, employment, and physical presence in the United States of individuals subject to the Immigration and Nationality Act. My current duties include conducting criminal investigations of violations of Federal Statutes and administrative violations of the Immigration and Nationality Act and Title 8 of the United States Code.

5. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter. This affidavit is based on my knowledge arising from my participation in this investigation; upon information provided to me by other HSI agents, law enforcement officers and government officials jointly participating in this investigation. Because this affidavit is being submitted for the limited purpose of establishing probable cause for the issuance of a search warrant, it does not contain every fact known to me or other agents of HSI.

6. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that undocumented illegal aliens are present at PECO FOODS. There is also probable cause to search the premises described in Attachment A for evidence of these crimes and contraband or fruits of these crimes, as described in Attachment B.

ADMINISTRATIVE PROBABLE CAUSE

7. Open source queries for PECO FOODS revealed website

<http://www.pecofoods.com>. According to the website's homepage, PECO FOODS is a fully integrated poultry processing and packaging company with a corporate office located in Tuscaloosa, Alabama, and processing plants throughout Mississippi, Alabama, and Arkansas. According to the website's About Us page, PECO FOODS is the eighth largest poultry producer in the United States producing 24 million pounds of poultry per week, and is privately held and family managed. The website's "About Us" page lists processing plants in the below locations:

Tuscaloosa, Alabama

Bay Springs, Mississippi

Sebastopol, Mississippi

Canton, Mississippi

Brooksville, Mississippi

Batesville, Arkansas

Pocahontas, Arkansas

The website's "About Us" page lists live operations offices in the below locations:

Gordo, Alabama

Bay Springs, Mississippi

Sebastopol, Mississippi

Philadelphia, Mississippi

Batesville, Arkansas

Pocahontas, Arkansas

8. The website's "About Us" page lists feed mills in the below locations:

Gordo, Alabama

Bay Springs, Mississippi

Lake, Mississippi

Philadelphia, Mississippi

Newark, Arkansas

Corning, Arkansas

9. The website's "About Us" page lists hatcheries in the below locations:

Gordo, Alabama

Sebastopol, Mississippi

Philadelphia, Mississippi

Batesville, Arkansas

Pocahontas, Arkansas

HISTORICAL ICE ENCOUNTERS/ARRESTS

10. Queries of the Enforcement Integrated Database Arrest Graphic User Interface for Law Enforcement (EAGLE) revealed approximately 222 historical ICE encounters and/or arrests (from November 18, 2002 to June 13, 2019) of illegal aliens who during processing indicated employment at PECO FOODS. In addition to indicating employment at PECO FOODS, numerous of the illegal aliens presented agents with PECO FOODS employment identification documents (IDs), containing their photographs and assumed identities utilized for employment.

11. On June 20, 2012, Leonel Gomez-Gomez, a Guatemalan national, was encountered by the Jackson, Mississippi, ICE Enforcement and Removal Operations (ERO) office during Criminal Alien Program (CAP) checks at the Madison County Jail in Canton, Mississippi. According to ICE records, Gomez-Gomez admitted to being a citizen of Guatemala

and did not possess legal documents to work or reside in the United States. Gomez-Gomez was administratively arrested by ERO Jackson. ICE records listed the “Name and Address of (Last)(Current) United States Employer” as “PECO FOODS US.” During processing Gomez-Gomez presented a Peco Foods ID card. The front face of the PECO FOODS ID card contained the below identifiers:

A photograph appearing to be Leonel Gomez-Gomez

The name Gustavo Oropeza Jr.

“Peco Foods, Inc.”

The back of the PECO FOODS ID card contained the below identifiers:

“This card is the property of PECO.”

“If you are going to be absent or late, please telephone your Supervisor or Personnel immediately at 601-859-6161.”

“If found please drop in any United States Mailbox

Return Postage Guaranteed

Peco Foods, Inc.

P.O. Box 419

Canton, MS 39046”

12. Open source queries for phone number 601-859-6161 revealed website www.pecofoods.com/contacts.php. The PECO FOODS webpage listed contact information for all their locations including:

“Peco Foods, Inc. – Canton West Fulton Street Processing Plant

1039 West Fulton Street

Canton, MS 39046

Phone: (601) 859-6161”

13. On January 08, 2014, Lucas Santizo-Carmelo, a Guatemalan national, was encountered by the Jackson, Mississippi, ICE ERO office during CAP checks at the Madison County Jail in Canton, Mississippi. According to ICE records, Santizo-Carmelo admitted to being a citizen of Guatemala and did not possess legal documents to work or reside in the United States. Santizo-Carmelo was administratively arrested by ERO Jackson. ICE records listed the “Name and Address of (Last)(Current) United States Employer” as “PECO FOODS.” During processing Santizo-Carmelo presented a PECO FOODS ID card. The front face of the PECO FOODS ID card contained the below identifiers:

A photograph appearing to be Lucas Santizo-Carmelo

The name Ricardo Loera

“Peco Foods, Inc.”

The back of the PECO FOODS ID card contained the below identifiers:

“This card is the property of PECO.”

“If you are going to be absent or late, please telephone your Supervisor or Personnel immediately at 601-859-6161.”

“If found please drop in any United States Mailbox

Return Postage Guaranteed

Peco Foods, Inc.

P.O. Box 419

Canton, MS 39046”

14. On July 26, 2017, Gilberto Rafael Romero-Lopez, a Guatemalan national, was encountered by the Jackson, Mississippi, ICE ERO office during a Field Operation Worksheet

(FOW) search in Canton, Mississippi for the subject. According to ICE records, ICE officers received information that the subject was possibly working at PECO FOODS in Canton, Mississippi. ICE officers made contact with the plant manager and human resources staff. A Spanish translator employed by PECO FOODS recognized a photo of the subject as an employee working in the plant. PECO FOODS Management escorted the identified employee into a private conference room. ICE Officers were able to positively identify the individual as Gilberto Rafael Romero-Lopez, the target of the FOW, using a photograph from his previous immigration encounter. ICE officers identified themselves as Deportation Officers with ICE and requested identification from the subject. Subject stated that his name was Benivamonde Martin. During the interview with ICE officers, Romero-Lopez admitted to being a citizen of Guatemala and did not possess legal documents to work or reside in the United States. Romero-Lopez was administratively arrested by ERO Jackson and transported for processing. PECO FOODS provided ICE officers with a "Peco Foods of Mississippi, Inc. Employee Detail" printout associated with Romero-Lopez. It contained a photograph of Gilberto Rafael Romero-Lopez and listed the below information:

Personal

Martin Benivamonde

Date of Birth: 07/24/XXXX

SSN: XXX-XX-5396

Administrative

Location: West Fulton Street Plant

Department: 104 Debone Days

Title: DAYS (REHIRE)

Employee ID: 7849

Status: Active

Hours: Full-Time

Hire Date: 05/30/2017

Supervisor: Clara Kincaid

15. Analysis of the above “Peco Foods of Mississippi, Inc. Employee Detail”

printout for Gilberto Rafael Romero-Lopez revealed he was working at the PECO FOODS, Inc. Canton West Fulton Street Processing Plant (1039 West Fulton Street, Canton, MS 39046) at the time of his arrest by ICE on July 26, 2017.

16. During processing Romero-Lopez presented a PECO FOODS ID card. The front face of the PECO FOODS ID card contained the below identifiers:

A photograph appearing to be Gilberto Rafael Romero-Lopez

The name Martin Benivamonde

“Peco Foods, Inc.”

The back of the Peco Foods ID card contained the below identifiers:

“This card is the property of PECO.”

“If you are going to be absent or late, please telephone your Supervisor or Personnel immediately at 601-855-5001.”

“If found please drop in any United States Mailbox

Return Postage Guaranteed

Peco Foods, Inc.

P.O. Box 419

Canton, MS 39046”

17. Open source queries for phone number 601-855-5001 revealed website https://iaspub.epa.gov/triexplorer/release_fac_profile?TRI=39046MRSHLOLDL&year=2010&trilib=TRIQ1&FLD=&FLD=&FLD=&OFFDISPD=&OTHDISP=&ONDISPD=&OTHOFFD. The United States Environmental Protection Agency website contained a Facility Profile Report for PECO FOODS Inc., and listed the below information:

“TRI Facility Name: Peco Foods Inc.

Address: 1039 W Fulton St, Canton Mississippi 39046 (Madison)

County: Madison

Public Contact: Charles A. Pierce

Phone Number: 601-855-5001”

ALTERNATIVES TO DETENTION

18. ICE routinely utilizes the Alternatives to Detention (ATD) Program for subjects in ICE custody. The Alternatives to Detention Program is a flight-mitigation tool that uses technology and case management to ensure compliance with release conditions and facilitate alien compliance with court hearings and final orders of removal while allowing aliens to remain in their community contributing to their families, community organizations, and, if necessary, wrapping-up their affairs in the United States as they move through immigration proceedings. The ATD Program is not a substitute for detention nor is it used as a removal tool; however, the program may be appropriate for an alien who is released pursuant to: an Order of Release on Recognizance (OREC), an Order of Supervision (OSUP), a grant of parole; or a bond (unless the immigration judge or board of immigration appeals has determined custody and did not include ATD as a provision). To be eligible for the ATD program participants must be adults 18 years of age or older, be removable, and be at some stage of immigration proceedings. The ATD Program

supervises participants, with contractor support, utilizing a combination of home visits, office visits, alert response, court tracking, and technology. The current government contractor (BI Inc.) for ATD operates under the Intensive Supervision Appearance Program (ISAP). The ISAP III contract allows ATD officers the ability to determine the frequency of home and office visits, types of technology, telephonic, GPS or SmartLink, court and alert management. Case management levels and technology assignment can be reviewed and adjusted by the ATD officer at any time depending upon change in circumstances and compliance.

19. The ATD Program utilizes three (3) different forms of technology that help monitor participants while enrolled in the program. The forms of technology include:

- a. Telephonic reporting utilizes a participant's voice to create a biometric voiceprint during the enrollment process, every time the participant calls in his/her voice is compared against the voiceprint.
- b. GPS monitoring requires at least three (3) satellites to locate a unit attached to the participant's ankle. When a participant is within range of more than three satellites a GPS unit give more accurate data regarding the participant's location.
- c. SmartLink enables ATD officers and case specialists to keep participants focused on the conditions of release via their smartphone or tablet, they are able to verify a participant's identity, determine their location, and quickly collect status change information.

20. Enrollment in the ATD program does not grant any immigration benefits including employment authorization.

ILLEGAL ALIENS ENROLLED IN ATD & EMPLOYED BY PECO FOODS

21. Queries of the subjects enrolled in the ICE ERO Jackson ATD program revealed 21 illegal aliens worked at PECO FOODS processing plants in Mississippi. Of the 21 identified illegal aliens currently working at PECO FOODS processing plants in Mississippi, 14 illegal aliens, as of July 29, 2019, worked at the PECO FOODS processing plant in Canton, Mississippi (1039 West Fulton Street, Canton, Mississippi 39046.)

22. Below are examples of subjects currently enrolled in the ICE/ERO Jackson ATD program who have reported working for PECO FOODS and the analysis of historical GPS coordinates for the subjects, along with their history:

23. On April 24, 2016, Yuri Diaz-Sanchez, a Guatemalan national, was encountered by USBP agents near San Luis, Arizona. At the time of the encounter, USBP agents determined Diaz-Sanchez did not possess legal documents to work or reside in the United States. Diaz-Sanchez was administratively arrested by USBP and transported for processing. Diaz-Sanchez was processed as a Notice to Appear and turned over to ICE for custody determination. Diaz-Sanchez provided ICE with an address of 611 Terry Lane, Carthage, Mississippi, was enrolled in the ICE ERO ATD program, and placed on GPS monitoring pending removal from the United States.

24. Queries of the historical GPS coordinates associated with Yuri Diaz-Sanchez's electronic monitoring ankle bracelet revealed numerous daily captured coordinates located within the PECO FOODS Canton West Fulton Street Processing Plant. Historical GPS coordinates also revealed Diaz-Sanchez travels from Carthage, Mississippi, to the PECO FOODS Canton West Fulton Street Processing Plant multiple times a week. Upon arriving at the PECO FOODS Canton West Fulton Street Processing Plant, Diaz-Sanchez remains on the PECO

FOODS Canton West Fulton Street Processing Plant property for approximately 10 hours. For example, on April 11, 2019, at approximately 5:30 am Diaz-Sanchez left her residence and began travelling to the PECO FOODS Canton West Fulton Street Processing Plant. Diaz-Sanchez arrived at the PECO FOODS Canton West Fulton Street Processing Plant at approximately 6:10 am. Diaz-Sanchez remained at the PECO FOODS Canton West Fulton Street Processing Plant until approximately 3:14 pm, when she departed and returned to her residence.

25. Record checks for Yuri Diaz-Sanchez revealed she does not have employment authorization from the United States Department of Homeland Security.

26. On August 17, 2015, Fabiola Gabriel-Coronado, a Guatemalan national, was encountered by USBP agents near the Rio Grande Valley, Texas, area. At the time of the encounter, USBP agents determined Gabriel-Coronado did not possess legal documents to work or reside in the United States. Gabriel-Coronado was administratively arrested by USBP and transported for processing. Gabriel-Coronado was processed as a Re-instate and turned over to ICE for custody determination. Gabriel-Coronado provided ICE with an address of 315 Harvey Watkins Drive South, Madison, Mississippi, was enrolled in the ICE ERO ATD program, and placed on GPS monitoring pending removal from the United States.

27. Queries of the historical GPS coordinates associated with Fabiola Gabriel-Coronado's electronic monitoring ankle bracelet revealed numerous daily captured coordinates located within the PECO FOODS Canton West Fulton Street Processing Plant. Historical GPS coordinates also revealed Gabriel-Coronado travels from Madison, Mississippi, to the PECO FOODS Canton West Fulton Street Processing Plant multiple times a week. Upon arriving at the PECO FOODS Canton West Fulton Street Processing Plant, Gabriel-Coronado remains on the PECO FOODS Canton West Fulton Street Processing Plant property for approximately 10 hours.

For example, on July 25, 2019, at approximately 10:50 pm Gabriel-Coronado left her residence and began travelling to the PECO FOODS Canton West Fulton Street Processing Plant. Gabriel-Coronado arrived at the PECO FOODS Canton West Fulton Street Processing Plant at approximately 10:55 pm. Gabriel-Coronado remained at the PECO FOODS Canton West Fulton Street Processing Plant until approximately 7:55 am on July 26, 2019, when she departed.

28. Record checks for Fabiola Gabriel-Coronado revealed she does not have employment authorization from the United States Department of Homeland Security.

29. On May 14, 2018, Albertina Gonzalez-Ramirez, a Guatemalan national, was encountered by USBP agents near the Rio Grande Valley, Texas, area. At the time of the encounter, USBP agents determined Gonzalez-Ramirez did not possess legal documents to work or reside in the United States. Gonzalez-Ramirez was administratively arrested by USBP and transported for processing. Gonzalez-Ramirez was processed and issued Notice to Appear and turned over to ICE for custody determination. Gonzalez-Ramirez provided ICE with an address of 305 Fernwood Drive South, Carthage, Mississippi, was enrolled in the ICE ERO ATD program, and placed on GPS monitoring pending removal from the United States.

30. Queries of the historical GPS coordinates associated with Albertina Gonzalez-Ramirez's electronic monitoring ankle bracelet revealed numerous daily captured coordinates located within the PECO FOODS Canton West Fulton Street Processing Plant. Historical GPS coordinates also revealed Gonzalez-Ramirez travels from Carthage, Mississippi, to the PECO FOODS Canton West Fulton Street Processing Plant multiple times a week. Upon arriving at the PECO FOODS Canton West Fulton Street Processing Plant, Gonzalez-Ramirez remains on the PECO FOODS Canton West Fulton Street Processing Plant property for approximately 10 hours. For example, on July 25, 2019, at approximately 10:20 pm Gonzalez-Ramirez left Carthage,

Mississippi, and began travelling to the PECO FOODS Canton West Fulton Street Processing Plant. Gonzalez-Ramirez arrived at the PECO FOODS Canton West Fulton Street Processing Plant at approximately 10:50 pm. Gonzalez-Ramirez remained at the PECO FOODS Canton West Fulton Street Processing Plant until approximately 8:23 am, when she departed and returned to Carthage, Mississippi.

31. Record checks for Albertina Gonzalez-Ramirez revealed she does not have employment authorization from the U.S. Department of Homeland Security.

INTERVIEWS OF ATD ENROLLEES WORKING AT PECO FOODS

32. On May 08, 2019, HSI SA Todd Williams and ICE ERO Deportation Officer (DO) Francisco Ayala conducted an interview of Brenda Soledad Lopez-Lopez at the HSI Jackson, Mississippi office. During the interview, Lopez-Lopez stated that she is a Guatemalan national that illegally entered the United States on or about August 2018. Lopez-Lopez stated that she has been employed at the PECO FOODS chicken processing plant in Canton, Mississippi, (1039 West Fulton Street, Canton, MS) for approximately eight to nine months. According to Lopez-Lopez she illegally purchased a fraudulent Tennessee identification document (ID) containing her photograph, a copy of a social security card, and a copy of a United States birth certificate, to be utilized to gain employment at PECO FOODS, from an unknown Guatemalan female known as "Aura" for approximately \$600.00. Lopez-Lopez stated that all three documents contained the personal identifying information (PII) belonging to Shaela P. Cortez.

33. A search of Mississippi Department of Employment Security records containing Employer's Quarterly Wages for PECO FOODS, revealed on the first quarter of 2019, Shaela P. Cortez (social security number XXX-XX-0189) earned \$6,792.13. Additional analysis of PECO

FOODS first quarter of 2019 wages revealed Brenda Soledad Lopez-Lopez was not earning wages.

34. On May 14, 2019, HSI SA Todd Williams and ICE DO Francisco Ayala conducted an interview of Yuri Diaz-Sanchez at the HSI Jackson, Mississippi office. During the interview, Diaz-Sanchez stated that she is a Guatemalan national that illegally entered the United States approximately three years ago. Diaz-Sanchez stated that she has been employed at the PECO FOODS chicken processing plant in Canton, Mississippi, (1039 West Fulton Street, Canton, MS) for approximately two years. According to Diaz-Sanchez she illegally purchased a fraudulent Tennessee identification document (ID) containing her photograph, and the personal identifying information (PII) belonging to Elizabeth Dominguez to gain employment at PECO FOODS.

35. A search of Mississippi Department of Employment Security records containing Employer's Quarterly Wages for PECO FOODS, revealed on the first quarter of 2019, Elizabeth Dominguez (social security number XXX-XX-0073) earned \$6,442.31. Additional analysis of PECO FOODS first quarter of 2019 wages revealed Yuri Diaz-Sanchez was not earning wages.

RECENT ARRESTS OF ILLEGAL ALIENS EMPLOYED BY PECO FOODS

36. On June 04, 2019, ICE officers encountered Edwin Westphal Ramirez-Cardona, an illegal alien from Guatemala, while conducting CAP duties at the Madison County Detention Center in Canton, Mississippi. Ramirez-Cardona, was administratively arrested by ICE officers and transported to the ERO Jackson, Mississippi, office for administrative processing.

37. During administrative processing, Edwin Westphal Ramirez-Cardona stated he was currently employed at the PECO FOODS chicken processing plant in Canton, Mississippi, (1039 West Fulton Street, Canton, Mississippi) as a chicken packer on the night shift (i.e., 11:00

pm– 9:00 am.) Ramirez-Cardona stated that he has worked at PECO FOODS for the past two years and utilized the name Juan Luciano to gain employment. According to Ramirez-Cardona, he paid approximately \$300.00 to an unknown subject to purchase the social security number he utilized to gain employment.

38. A search of Mississippi Department of Employment Security records containing Employer's Quarterly Wages for PECO FOODS, revealed on the first quarter of 2019, Juan C Luciano (social security number XXX-XX-3480) earned \$9,467.90. Additional analysis of PECO FOODS first quarter of 2019 wages revealed Edwin Westphal Ramirez-Cardona was not earning wages.

39. On June 06, 2019, HSI SA Todd Williams and ICE DO Francisco Ayala conducted a telephonic interview of aggravated identity theft victim Juan Carlos Martinez-Luciano. During the interview, Martinez-Luciano, a native of Puerto Rico, acknowledged that he knew his personal identifying information (PII) was compromised. According to Martinez-Luciano, approximately a year ago he lost his wallet along with his identification documents (IDs) in Puerto Rico. Martinez-Luciano stated that he was recently contacted by the Internal Revenue Service (IRS) via mail, and informed that an unknown subject had utilized his PII to illegally gain employment in the United States. Martinez-Luciano stated that he has never worked at PECO FOODS in Mississippi. Additionally, Martinez-Luciano stated that he has never given anyone permission to utilize his PII to gain employment.

40. On June 13, 2019, ICE officers encountered Jaime Orlando Agustin-Felix, an illegal alien from Guatemala, while conducting CAP duties at the Madison County Detention Center in Canton, Mississippi. Agustin-Felix, was administratively arrested by ICE officers and transported to the ERO Jackson, Mississippi, office for administrative processing.

41. During administrative processing, Jaime Orlando Agustin-Felix stated he was currently employed at the PECO FOODS chicken processing plant in Canton, Mississippi, (1039 West Fulton Street, Canton, Mississippi) on the cleaning crew (i.e., 4:00 pm to 10:00 pm.) Agustin-Felix stated that he has worked at PECO FOODS for the past 12 years and utilized his birth given name Jaime Orlando Agustin-Felix to gain employment.

42. A search of Mississippi Department of Employment Security records containing Employer's Quarterly Wages for PECO FOODS, revealed on the first quarter of 2019, Jaime Agustin (social security number XXX-XX-8392) earned \$8,319.61.

43. Additional record checks for social security number XXX-XX-8392, utilized by Jaime Orlando Agustin-Felix to work at PECO FOODS revealed negative results, suggesting the number has never been assigned.

44. On July 09, 2019, ICE officers encountered Byron Vicente Lopez-Perez, an illegal alien from Guatemala, while conducting CAP duties at the Madison County Detention Center in Canton, Mississippi. Lopez-Perez, was administratively arrested by ICE officers and transported to the ERO Jackson, Mississippi, office for administrative processing.

45. On July 09, 2019, at approximately 11:30 am, HSI SA Todd Williams and ICE ERO DO Francisco Ayala conducted an interview of Byron Vicente Lopez-Perez at the HSI/ERO Jackson, Mississippi office. During the interview, Lopez-Perez stated he was currently employed at the PECO FOODS chicken processing plant in Canton, Mississippi, (1039 West Fulton Street, Canton, Mississippi) as a forklift driver on the day shift (i.e., 7:00 am to 5:00 pm.) Lopez-Perez stated that he has worked at PECO FOODS for the past 4 years and utilized the personal identifying information of Manuel Garcia to gain employment. According to Lopez-

Perez, he paid approximately \$1,000.00 to an unknown subject to purchase the Tennessee identification document and social security number he utilized to gain employment.

46. A search of Mississippi Department of Employment Security records containing Employer's Quarterly Wages for PECO FOODS, revealed on the first quarter of 2019, Manuel Garcia (social security number XXX-XX-1421) earned \$12,110.56 and Manuel Garcia (social security number XXX-XX-6337) earned \$10,189.66. Additional analysis of PECO FOODS first quarter of 2019 wages revealed Byron Vicente Lopez-Perez was not earning wages.

47. This affidavit is being submitted simultaneously with a criminal warrant for inspection to search at Peco Foods, Inc. – Canton West Fulton Street Processing Plant, located at 1039 West Fulton Street Canton, MS 39046, for evidence of unlawfully employing illegal aliens.

CONCLUSION

48. Based on the facts and information as stated in this affidavit and my training and experience, I submit that this affidavit supports probable cause for a warrant to search the PREMISES described in Attachment A and seize the items described in Attachment B.

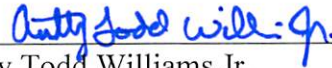
49. Based upon my training and experience, combined with the facts and observations set forth in the foregoing paragraphs, I have reason to believe that undocumented illegal aliens are present at 1039 West Fulton Street, Canton, Mississippi 39046.

50. In consideration of the facts presented, I respectfully request that this Court issue a search warrant for the premises located at 1039 West Fulton Street, Canton, Mississippi 39046, and all appurtenances thereto as more fully described in Attachment A and authorize the seizure of the items described in Attachment B to this Affidavit.

REQUEST FOR SEALING

51. I further request that the Court order that all papers in support of this application, including the affidavit and search warrant, be sealed until further order of the Court. These documents discuss an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation.

Respectfully submitted,



Anthony Todd Williams Jr.
Special Agent
US Immigration and Customs Enforcement
Homeland Security Investigations

Subscribed and sworn to before me on this the 5th day of August, 2019



LINDA R. ANDERSON
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT

for the
Southern District of Mississippi

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

PECO FOODS
15252 MS-21 Walnut Grove, MS 39359
as described in Attachment A

Case No.

3:19mj209 LRA

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A.

located in the Southern District of Mississippi, there is now concealed (identify the person or describe the property to be seized):

See Attachment B.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☐ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
8 USC 1324(a)	Unlawful Employment of Aliens

The application is based on these facts:

See affidavit of SA Anthony Todd Williams, Jr., which is attached and incorporated by reference herein.

- ☒ Continued on the attached sheet.
☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Applicant's signature

Anthony Todd Williams, Jr., SA HSI
Printed name and title

Sworn to before me and signed in my presence.

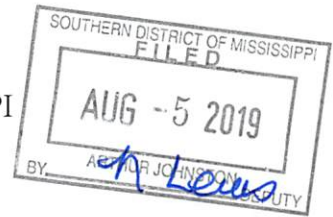
Date: 08/05/2019

Judge's signature

City and state: Jackson, MS

Linda R. Anderson, United States Magistrate Judge
Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION



IN THE MATTER OF THE SEARCH OF
PECO FOODS
15252 MS-21
WALNUT GROVE, MS 39189

Case No. 3:19mj 209 LRA

Filed Under Seal

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

I, Anthony Todd Williams Jr., being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application for a search warrant to search the following premises and seize the items listed in Attachment B:

a. The business is located at 15252 MS-21, Walnut Grove, Mississippi 39189, and its curtilage and outbuildings, appurtenances, and attached and detached garages and vehicles and trailers located on such curtilage including any and all parking lots; more particularly described in Attachment A.

2. This affidavit sets forth facts establishing probable cause to believe that PECO FOODS and others are willfully and unlawfully employing illegal aliens in violation of Federal Law and within the locations which are further described in Attachment A, currently exists those items, set forth in Attachment B, which constitutes evidence, instrumentalities, contraband and/or fruits of the violations.

3. I am a Special Agent with Homeland Security Investigations ("HSI"), within United States Immigration and Customs Enforcement ("ICE"). I am assigned to the Office of the Resident Agent in Charge, Jackson, Mississippi. I have been trained specifically in the

investigation and elements of federal crimes at the Federal Law Enforcement Training Center at Glynco, Georgia. I hold Bachelors of Art and Masters of Science degrees in Criminal Justice from the University of Southern Mississippi. I am also a graduate of the United States Border Patrol Academy at the Federal Law Enforcement Training Center in Artesia, New Mexico. I have approximately 10 years of experience as a federal law enforcement officer and criminal investigator.

4. My experience as a federal law enforcement officer and criminal investigator includes the investigation and prosecution of violations of criminal laws relating to unlawful entry, employment, and physical presence in the United States of individuals subject to the Immigration and Nationality Act. My current duties include conducting criminal investigations of violations of Federal Statutes and administrative violations of the Immigration and Nationality Act and Title 18 of the United States Code. As part of these duties, I have become involved in the investigation of suspected violations of Title 8, United States Code, Section 1324(a), Unlawful Employment of Aliens. Through formal and on the job training, I am experienced in crimes involving the unlawful employment of aliens. I have participated in the execution of numerous search warrants for documents and other evidence, including computers and electronic media.

5. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter. This affidavit is based on my knowledge arising from my participation in this investigation; upon information provided to me by other HSI agents, law enforcement officers and government officials jointly participating in this investigation. Because this affidavit is being submitted for

the limited purpose of establishing probable cause for the issuance of a search warrant, it does not contain every fact known to me or other agents of HSI.

6. Section 274A of the Immigration and Reform Act of 1986 (IRCA) contains provisions which require all employers to verify the employment eligibility of all new employees hired after November 6, 1986. The Form I-9 (Employment Eligibility Verification), hereto referred to as Form I-9, was developed for verifying that persons are eligible to work in the United States. Employers must ensure the Form I-9 is completed every time a person is hired to perform labor or services in return for wages or other remuneration. Any person who, during any 12-month period, knowingly hires for employment at least 10 individuals with actual knowledge that the individuals are unauthorized aliens is in violation of Title 8, United States Code, Section 1324(a)(3)(A).

7. Intentional hiring of unauthorized aliens is a violation of Title 8, United States Code, Section 1324a. A person or entity which engages in a pattern and practice of violations in this Section shall be fined no more than \$3000 for each unauthorized alien with whom such a violation occurs, imprisoned for not more than six months for the entire pattern or practice, or both, notwithstanding the provisions of any other Federal law relating to fine levels.

8. A person who violates Title 8, United States Code, Section 1324, subparagraph (A) and in which the offense was done for the purpose of commercial advantage or private financial gain is in violation of Title 8, United States Code, Section 1324(a)(1)(B)(i).

9. Intentional false statements, by making or using any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement on the Form I-9 is a felony violation of Title 18, United States Code, Section 1001.

10. The Form I-9 is comprised of three Sections. Section 1 is to be completed by the employee at the time of hire. This Section contains the fields of name, address, date of birth, social security number, and the attestation of the employee as to their immigration status in the United States. Section 2 is to be completed by the employer and consists of three separate columns for List A, List B, and List C documents. The employer is required to examine original documents presented by an employee and then complete this Section within three (3) days of the date the employment begins. Some documents such as United States Passports, Certificates of Naturalization, Alien Registration Cards or Employment Authorization Cards establish both identity and employment eligibility (List A). Other documents such as Drivers Licenses, and Voter Registrations Cards establish identity only (List B), while documents such as Social Security Cards and birth certificates establish employment eligibility only (List C). In order for an employee to be deemed eligible to work by the employer, that employer must examine both one (1) document from List A, or one document from List B and one document from List C. If employees are unable to present the required document(s) within 3 business days of the date the employment begins, they must present a receipt for the application for the document within three business days. Employers must retain all I-9(s) for 3 years after the date of employment begins or 1 year after the person's employment is terminated, whichever is later. Section 3 is completed by the employer to re-verify the employment authorization for current employees. When an employee's work authorization expires, employers are required to re-verify on the Form I-9 not later than the date the employee's work authorization expires.

11. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that violations of Title 8 and Title 18 of the United States Code have been committed by PECO FOODS and others. There is also probable cause to search the

premises described in Attachment A for evidence of these crimes and contraband or fruits of these crimes, as described in Attachment B.

PROBABLE CAUSE

12. Open source queries for PECO FOODS revealed website <http://www.pecofoods.com>. According to the website's homepage, PECO FOODS is a fully integrated poultry processing and packaging company with a corporate office located in Tuscaloosa, Alabama, and processing plants throughout Mississippi, Alabama, and Arkansas. According to the website's "About Us" page, PECO FOODS is the eighth largest poultry producer in the United States producing 24 million pounds of poultry per week, and is privately held and family managed. The website's "About Us" page lists processing plants in the below locations:

Tuscaloosa, Alabama

Bay Springs, Mississippi

Sebastopol, Mississippi

Canton, Mississippi

Brooksville, Mississippi

Batesville, Arkansas

Pocahontas, Arkansas

The website's "About Us" page lists live operations offices in the below locations:

Gordo, Alabama

Bay Springs, Mississippi

Sebastopol, Mississippi

Philadelphia, Mississippi

Batesville, Arkansas

Pocahontas, Arkansas

13. The website's "About Us" page lists feed mills in the below locations:

Gordo, Alabama

Bay Springs, Mississippi

Lake, Mississippi

Philadelphia, Mississippi

Newark, Arkansas

Corning, Arkansas

14. The website's "About Us" page lists hatcheries in the below locations:

Gordo, Alabama

Sebastopol, Mississippi

Philadelphia, Mississippi

Batesville, Arkansas

Pocahontas, Arkansas

HISTORICAL ICE ENCOUNTERS/ARRESTS

15. Queries of the Enforcement Integrated Database Arrest Graphic User Interface for Law Enforcement (EAGLE) revealed approximately 222 historical ICE encounters and/or arrests (from November 18, 2002 to June 13, 2019) of illegal aliens who during processing indicated employment at PECO FOODS. In addition to indicating employment at PECO FOODS, numerous of the illegal aliens presented agents with PECO FOODS employment identification documents (IDs), containing their photographs and assumed identities utilized for employment.

16. On July 02, 2014, Esequiel Matias-Diego, a Guatemalan national, was encountered by the Jackson, Mississippi, ICE Enforcement and Removal Operations (ERO) office during a Field Operations Worksheet (FOW) at Peco Foods, 15292 Highway 21, Walnut Grove, Mississippi. ERO received information that Matias-Diego was working at PECO FOODS in Sebastopol, and requested assistance from the Human Resource manager to locate Matias-Diego. According to ICE records, Matias-Diego was identified as a PECO employee using the name Jose Rivera. Matias-Diego was summoned to the manager's office, and was identified by photograph by ICE officers. Matias-Diego initially stated that his name was Jose Rivera and that he was a citizen and national of Mexico. Further questioning revealed his true name and citizenship to be that of Esequiel Matias-Diego and a Guatemalan citizen. It was determined that Matias-Diego did not possess legal documents to work or reside in the United States. Matias-Diego was administratively arrested by ERO Jackson and transported for processing. During processing Matias-Diego presented a PECO FOODS ID card. The front face of the PECO FOODS ID card contained the below identifiers:

A photograph appearing to be Esequiel Matias-Diego

The name Jose Rivera

"Peco Foods, Inc."

The back of the PECO FOODS ID card contained the below identifiers:

"This card is the property of PECO."

"If you are going to be absent or late, please telephone your Supervisor or Personnel immediately at 601-625-7432 or 1-800-748-0687."

"If found please drop in any U.S. Mailbox

Return Postage Guaranteed

Peco Foods, Inc.

P.O. Box 319

Sebastopol, MS 39359”

17. Open source queries for phone number 601-625-7432 revealed website www.pecofoods.com/contacts.php. The PECO FOODS webpage listed contact information for all their locations including:

“Peco Foods, Inc. – Sebastopol Processing Plant

Highway 21 South

P.O. Box 319

Sebastopol, MS 39359

Phone: (601) 625-7432”

18. On August 10, 2015, Jose De Jesus-Hernandez, a Guatemalan national, was encountered by the Jackson, Mississippi, ICE ERO office during Criminal Alien Program (CAP) checks at the Leake County Detention Center in Carthage, Mississippi. According to ICE records, De Jesus-Hernandez was identified as being a citizen of Guatemala and did not possess legal documents to work or reside in the United States. De Jesus-Hernandez was administratively arrested by ERO Jackson. ICE records listed the “Name and Address of (Last)(Current) United States Employer” as “PECO FOODS Sebastopol, MS.” During processing De Jesus-Hernandez presented a PECO FOODS ID card. The front face of the PECO FOODS ID card contained the below identifiers:

A photograph appearing to be Jose De Jesus-Hernandez

The name Alex Chavez

“Peco Foods, Inc.”

The back of the Peco Foods ID card contained the below identifiers:

“This card is the property of PECO.”

“If you are going to be absent or late, please telephone your Supervisor or Personnel immediately at 601-625-7432 or 1-800-748-0687.”

“If found please drop in any U.S. Mailbox

Return Postage Guaranteed

Peco Foods, Inc.

P.O. Box 319

Sebastopol, MS 39359”

19. On November 29, 2016, Andres Marquirez-Lucas, a Guatemalan national, was encountered by the Jackson, Mississippi, ICE ERO office during an FOW in Forest, Mississippi. According to ICE records, Marquirez-Lucas was identified as being a citizen of Guatemala and did not possess legal documents to work or reside in the United States. Marquirez-Lucas was administratively arrested by ERO Jackson and transported for processing. ICE records listed the “Name and Address of (Last)(Current) United States Employer” as “PECO FOODS.” During processing Marquirez-Lucas presented a PECO FOODS ID card. The front face of the PECO FOODS ID card contained the below identifiers:

A photograph appearing to be Andres Marquirez-Lucas

The name James Pasillas

“Peco Foods, Inc.

Sebastopol Division”

The back of the PECO FOODS ID card contained the below identifiers:

“This card is the property of PECO.”

“If you are going to be absent or late, please telephone your Supervisor or Personnel immediately at 601-625-7432 or 1-800-748-0687.”

“If found please drop in any U.S. Mailbox.

Return Postage Guaranteed:

Peco Foods of Mississippi, Inc.

P.O. Box 319

Sebastopol, MS 39359”

ALTERNATIVES TO DETENTION

20. ICE routinely utilizes the Alternatives to Detention (ATD) Program for subjects in ICE custody. The Alternatives to Detention Program is a flight-mitigation tool that uses technology and case management to ensure compliance with release conditions and facilitate alien compliance with court hearings and final orders of removal while allowing aliens to remain in their community contributing to their families, community organizations, and, if necessary, wrapping-up their affairs in the United States as they move through immigration proceedings. The ATD Program is not a substitute for detention nor is it used as a removal tool; however, the program may be appropriate for an alien who is released pursuant to: an Order of Release on Recognizance (OREC), an Order of Supervision (OSUP), a grant of parole; or a bond (unless the immigration judge or board of immigration appeals has determined custody and did not include ATD as a provision). To be eligible for the ATD program participants must be adults 18 years of age or older, be removable, and be at some stage of immigration proceedings. The ATD Program supervises participants, with contractor support, utilizing a combination of home visits, office visits, alert response, court tracking, and technology. The current government contractor (BI Inc.) for ATD operates under the Intensive Supervision Appearance Program (ISAP). The ISAP

III contract allows ATD officers the ability to determine the frequency of home and office visits, types of technology, telephonic, GPS or SmartLink, court and alert management. Case management levels and technology assignment can be reviewed and adjusted by the ATD officer at any time depending upon change in circumstances and compliance.

21. The ATD Program utilizes three (3) different forms of technology that help monitor participants while enrolled in the program. The forms of technology include:

- a. Telephonic reporting utilizes a participant's voice to create a biometric voiceprint during the enrollment process, every time the participant calls in his/her voice is compared against the voiceprint.
- b. GPS monitoring requires at least three (3) satellites to locate a unit attached to the participant's ankle. When a participant is within range of more than three satellites a GPS unit give more accurate data regarding the participant's location.
- c. SmartLink enables ATD officers and case specialists to keep participants focused on the conditions of release via their smartphone or tablet, they are able to verify a participant's identity, determine their location, and quickly collect status change information.

22. Enrollment in the ATD program does not grant any immigration benefits including employment authorization.

ILLEGAL ALIENS ENROLLED IN ATD & EMPLOYED BY PECO FOODS

23. Queries of the subjects enrolled in the ICE ERO Jackson ATD program revealed 21 illegal aliens worked at PECO FOODS processing plants in Mississippi. Of the 21 identified illegal aliens currently working at PECO FOODS processing plants in Mississippi, two illegal

aliens, as of July 29, 2019, worked at the PECO FOODS processing plant in Sebastopol, Mississippi (15252 MS-21, Walnut Grove, Mississippi 39189.)

24. Below are examples of subjects enrolled in the ICE/ERO Jackson ATD program who have reported working for PECO FOODS and the analysis of historical GPS coordinates for the subjects:

25. On March 27, 2018, Katarina Pablo-Pablo, a Guatemalan national, was encountered by United States Customs and Border Protection (CBP) officers at the Paso Del Norte International Bridge in El Paso, Texas. At the time of the encounter, CBP officers determined Pablo-Pablo did not possess legal documents to work or reside in the United States. Pablo-Pablo was administratively arrested, processed as a Notice to Appear, and turned over to ICE for custody determination. Pablo-Pablo provided ICE with an address of 452 North Broad Street, Forest, Mississippi, was enrolled in the ICE ERO ATD program, and placed on GPS monitoring pending removal from the United States.

26. Queries of the historical GPS coordinates associated with Katarina Pablo-Pablo's electronic monitoring ankle bracelet revealed numerous daily captured coordinates located within the PECO FOODS Sebastopol Processing Plant. Historical GPS coordinates also revealed Pablo-Pablo travels from Forest, Mississippi, to the PECO FOODS Sebastopol Processing Plant multiple times a week. Upon arriving at the PECO FOODS Sebastopol Processing Plant, Pablo-Pablo remains on the PECO FOODS Sebastopol Processing Plant property for approximately 8 to 10 hours. For example, on April 10, 2019, at approximately 3:10 pm Pablo-Pablo left her residence and began travelling to the PECO FOODS Sebastopol Processing Plant. Pablo-Pablo arrived at the PECO FOODS Sebastopol Processing Plant at approximately 3:27 pm. Pablo-

Pablo remained at the PECO FOODS Sebastopol Processing Plant until approximately 12:27 am on April 11, 2019, when she departed and returned to her residence.

27. Record checks for Katarina Pablo-Pablo revealed she does not have employment authorization from the United States Department of Homeland Security.

28. On July 12, 2018, Maria Silvestre-Mendoza, a Guatemalan national, was encountered by USBP agents near Yuma, Arizona. At the time of the encounter, USBP agents determined Silvestre-Mendoza did not possess legal documents to work or reside in the United States. Silvestre-Mendoza was administratively arrested, processed as a Notice to Appear, and turned over to ICE for custody determination. Silvestre-Mendoza provided ICE with an address of 300 North Banks Street, Forest, Mississippi, was enrolled in the ICE ERO ATD program, and placed on GPS monitoring pending removal from the United States.

29. Queries of the historical GPS coordinates associated with Maria Silvestre-Mendoza's electronic monitoring ankle bracelet revealed numerous daily captured coordinates located within the PECO FOODS Sebastopol Processing Plant. Historical GPS coordinates also revealed Silvestre-Mendoza travels from Forest, Mississippi, to the PECO FOODS Sebastopol Processing Plant multiple times a week. Upon arriving at the PECO FOODS Sebastopol Processing Plant, Silvestre-Mendoza remains on the PECO FOODS Sebastopol Processing Plant property for approximately 8 to 10 hours. For example, on April 11, 2019, at approximately 3:40 pm Silvestre-Mendoza left her residence and began travelling to the PECO FOODS Sebastopol Processing Plant. Silvestre-Mendoza arrived at the PECO FOODS Sebastopol Processing Plant at approximately 4:03 pm. Silvestre-Mendoza remained at the PECO FOODS Sebastopol Processing Plant until approximately 12:50 am on April 12, 2019, when she departed and returned to her residence.

30. Record checks for Maria Silvestre-Mendoza revealed she does not have employment authorization from the United States Department of Homeland Security.

31. On July 24, 2015, Florencia ALONSO-Alonso, a Guatemalan national, was encountered by United States Customs and Border Protection (CBP) officers at the Douglas, Arizona Port of Entry. At the time of the encounter, CBP officers determined ALONSO-Alonso did not possess legal documents to work or reside in the United States. ALONSO-Alonso was administratively arrested, processed for an Expedited Removal, and turned over to ICE for custody determination. ALONSO-Alonso provided ICE with an address of 624 N Banks St., Forest, Mississippi, was enrolled in the ICE ERO ATD program, and placed on GPS monitoring pending removal from the United States.

32. Queries of the historical GPS coordinates associated with Florencia Alonso-Alonso's electronic monitoring ankle bracelet revealed numerous daily captured coordinates located within the PECO FOODS Sebastopol Processing Plant. Historical GPS coordinates also revealed Alonso-Alonso travels from Forest, Mississippi, to the PECO FOODS Sebastopol Processing Plant multiple times a week. Upon arriving at the PECO FOODS Sebastopol Processing Plant, Alonso-Alonso remains on the PECO FOODS Sebastopol Processing Plant property for approximately 8 to 10 hours. For example, on July 25, 2019, at approximately 3:40 pm Alonso-Alonso left her residence and began travelling to the PECO FOODS Sebastopol Processing Plant. Alonso-Alonso arrived at the PECO FOODS Sebastopol Processing Plant at approximately 4:06 pm. Alonso-Alonso remained at the PECO FOODS Sebastopol Processing Plant until approximately 1:13 am on July 26, 2019, when she departed and returned to her residence.

33. Record checks for Florencia Alonso-Alonso revealed she does not have employment authorization from the United States Department of Homeland Security.

34. On September 24, 2018, Nancy Elizabeth LOPEZ-Felix, a Guatemalan national, was encountered by United States Border Patrol Agents (BPA) in the Rio Grande Valley, Texas Border Patrol Sector. At the time of the encounter, BPA determined LOPEZ-Felix did not possess legal documents to work or reside in the United States. LOPEZ-Felix was administratively arrested, issued a Notice to Appear, and turned over to ICE for custody determination. LOPEZ-Felix provided ICE with an address of 1045 Prospect Ave., Windom, Minnesota, was enrolled in the ICE ERO ATD program, and placed on GPS monitoring pending removal from the United States.

35. Queries of the historical GPS coordinates associated with LOPEZ-Felix' electronic monitoring ankle bracelet revealed numerous daily captured coordinates located within the PECO FOODS Sebastopol Processing Plant. Historical GPS coordinates also revealed LOPEZ-Felix travels from Forest, Mississippi, to the PECO FOODS Sebastopol Processing Plant multiple times a week. Upon arriving at the PECO FOODS Sebastopol Processing Plant, LOPEZ-Felix remains on the PECO FOODS Sebastopol Processing Plant property for approximately 8 to 10 hours. For example, on July 25, 2019, at approximately 3:34 pm LOPEZ-Felix left her current residence (530 Old Morton Rd., Lot 2, Forest, Mississippi 39074) and began travelling to the PECO FOODS Sebastopol Processing Plant. LOPEZ-Felix arrived at the PECO FOODS Sebastopol Processing Plant at approximately 3:58 pm. Alonso-Alonso remained at the PECO FOODS Sebastopol Processing Plant until approximately 1:16 am on July 26, 2019, when she departed and returned to her residence.

36. Record checks for Nancy Elizabeth LOPEZ-Felix revealed she does not have employment authorization from the United States Department of Homeland Security.

INTERVIEW OF ATD ENROLLEE WORKING AT PECO FOODS

37. On May 6, 2019 HSI SA Todd Williams, SA Brent Young, and ERO Deportation Officer (DO) Francisco J. Ayala conducted an interview of Ana ALONZO-Alonzo at the HSI Jackson, Mississippi office. During the interview, ALONZO-Alonzo provided information related to her employment at the PECO FOODS plant located on Hwy 21 South, Walnut Grove, MS 39189.

38. Ana ALONZO-Alonzo is a citizen and national of Guatemala who is currently illegally present in the United States. ALONZO-Alonzo was arrested on July 25, 2015 furthering her illegal entry in to the United States and was released from custody pending removal from the US. ALONZO-ALONZO is enrolled in the Alternatives to Detention Program and is currently reporting to ERO in Jackson, MS.

39. ALONZO-Alonzo stated that she lives in Forest, MS. She entered the United States illegally in July 2015 and has been working for PECO FOODS in Sebastopol, MS for about 5 months.

40. ALONZO-Alonzo stated that she is working under the assumed identity of Isabel Perez and is currently assigned to work nights. Her unit is responsible for the processing of chicken tenders. HSI agents verified the fraudulent name (assumed identity, Isabel S PEREZ) used by ALONZO-Alonzo and discovered it on the Mississippi Department of Employment Security (MDES), Employer's Quarterly Wage Report, 4th quarter of 2018, for PECO FOODS. The report shows that for the 4th quarter of 2018, Isabel S Perez with the corresponding social

security number XXX-XX-6554, was paid a total wage of \$6,710.96 by PECO FOODS (as reported to MDES by PECO FOODS) in the 4th quarter.

41. ALONZO-Alonzo explained to the agents that she bought the assumed identity from an unidentified Black male at a laundromat in Forest, MS. According to her, she was sold a counterfeit identification card with the assumed identity and her photo, and a social security identification card for \$200.00.

ARRESTS OF ILLEGAL ALIENS EMPLOYED BY PECO FOODS

42. On June 13, 2019, at approximately 1:30 pm, Special Agents and Task Force Officers assigned to HSI Jackson established surveillance in the area of PECO FOODS, located in Walnut Grove, MS.

43. At approximately 4:30 pm, DO Ayala observed a red and brown Chevrolet Astro van bearing Mississippi license plate LJI720, depart from PECO FOODS in Sebastopol, MS and travel north on Highway 21. SA Young observed the vehicle a short time later at Duett's Convenient Store in Sebastopol. The vehicle departed from Duett's Convenient Store and traveled north on Mississippi Highway 21 before turning north on Mississippi Highway 487. At approximately 4:45 pm, Leake County, Mississippi, Sheriff's Deputy Justin Sims observed the aforementioned vehicle cross the center line of Highway 487 into the southbound lane of oncoming traffic. Deputy Sims then initiated a lawful traffic stop on the vehicle at Mississippi Highway 487 and Purvis Road in Walnut Grove, Mississippi.

44. The driver of the vehicle was identified as Ramiro LOPEZ-LOPEZ (A216 XXX XXX), a native and citizen of Guatemala, along with six (6) female passengers, who were all natives and citizens of Guatemala. HSI Jackson Special Agents and Task Force Officers responded to Deputy Sims location to assist. It was determined that all occupants of the vehicle

had unlawfully entered the United States without inspection or admission. All subjects were taken into custody and transported to HSI Jackson and processed for removal.

45. During processing, all subjects initially denied working for PECO FOODS in Sebastopol, but later stated that they did in fact work for PECO FOODS. Maria Marta MATIAS-PEREZ never admitted to working for PECO FOODS and claimed that she worked as a tree planter. Record checks revealed that none of the seven (7) subjects are authorized to lawfully work in the United States.

46. This affidavit is being submitted simultaneously with an administrative warrant for inspection to search at PECO FOODS, INC. – Sebastopol Processing Plant, located at 15252 MS-21, Walnut Grove, Mississippi 39189, for persons believed to be working in the United States without authorization.

CONCLUSION

47. Based on the facts and information as stated in this affidavit and my training and experience, I submit that this affidavit supports probable cause for a warrant to search the PREMISES described in Attachment A to seize the items described in Attachment B.

48. Based upon my training and experience, combined with the facts and observations set forth in the foregoing paragraphs, I have reason to believe and do believe there exists probable cause that evidence of violations of Title 8, United States Code, Section 1324(a), Unlawful Employment of Aliens, Title 18, United States Code, Section 1001, Title 18, United States Code, Section 1546(a), Fraud and misuse of visas, permits, and other documents to gain employment, Title 18, United States Code, Section 1028(a)(7), Fraud and related activity in connection with identification documents, authentications features, and information, Title 18, United States Code, Section 1015(e), False statement to obtain benefits or employment, Title 18,

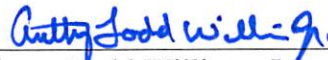
United States Code, Section 911, False claim to be a Citizen of the United States, and Title 42, United States Code, Section 408(a)(7)(B), Use of Unauthorized Social Security Number, and fruits of such crimes or property designed, intended for or used for such crimes are located at the PREMISES described in Attachment A.

49. In consideration of the facts presented, I respectfully request that this Court issue a search warrant for the premises located at 15252 MS-21, Walnut Grove, Mississippi 39189, and all appurtenances thereto as more fully described in Attachment A and authorize the seizure of the items described in Attachment B to this Affidavit.

REQUEST FOR SEALING

50. I further request that the Court order that all papers in support of this application, including the affidavit and search warrant, be sealed until further order of the Court. These documents discuss an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation.

Respectfully submitted,



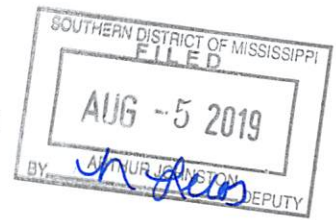
Anthony Todd Williams Jr.
Special Agent
US Immigration and Customs Enforcement
Homeland Security Investigations

Subscribed and sworn to before me on the 5th day of August, 2019.



LINDA R. ANDERSON
UNITED STATES MAGISTRATE JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION



IN THE MATTER OF THE SEARCH OF
PECO FOODS
15252 MS-21
WALNUT GROVE, MS 39189

Case No. 3:19mj210 LRA

Filed Under Seal

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR AN ADMINISTRATIVE SEARCH WARRANT**

I, Anthony Todd Williams Jr., being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application for an administrative search warrant to search the following premises and seize the items listed in Attachment B:
 - a. The business is located at 15252 MS-21, Walnut Grove, Mississippi 39189, and its curtilage and outbuildings, appurtenances, and attached and detached garages and vehicles and trailers located on such curtilage, including any and all parking lots and persons inside vehicles; more particularly described in Attachment A.
2. This affidavit is submitted in support of an application, pursuant to Title 8, United States Code, Section 1357, for a warrant to search the premises of PECO FOODS (15252 MS-21, Walnut Grove, Mississippi 39189) for undocumented illegal aliens.
3. I am a Special Agent with Homeland Security Investigations ("HSI"), within United States Immigration and Customs Enforcement ("ICE"). I am assigned to the Office of the Resident Agent in Charge, Jackson, Mississippi. I have been trained specifically in the investigation and elements of federal crimes at the Federal Law Enforcement Training Center at Glynco, Georgia. I hold Bachelors of Art and Masters of Science degrees in Criminal Justice

from the University of Southern Mississippi. I am also a graduate of the United States Border Patrol Academy at the Federal Law Enforcement Training Center in Artesia, New Mexico. I have approximately 10 years of experience as a federal law enforcement officer and criminal investigator.

4. My experience as a federal law enforcement officer and criminal investigator includes the investigation and prosecution of violations of criminal laws relating to unlawful entry, employment, and physical presence in the United States of individuals subject to the Immigration and Nationality Act. My current duties include conducting criminal investigations of violations of Federal Statutes and administrative violations of the Immigration and Nationality Act and Title 8 of the United States Code.

5. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter. This affidavit is based on my knowledge arising from my participation in this investigation; upon information provided to me by other HSI agents, law enforcement officers and government officials jointly participating in this investigation. Because this affidavit is being submitted for the limited purpose of establishing probable cause for the issuance of a search warrant, it does not contain every fact known to me or other agents of HSI.

6. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that undocumented illegal aliens are present at PECO FOODS. There is also probable cause to search the premises described in Attachment A for evidence of these crimes and contraband or fruits of these crimes, as described in Attachment B.

ADMINISTRATIVE PROBABLE CAUSE

7. Open source queries for PECO FOODS revealed website <http://www.pecofoods.com>. According to the website's homepage, PECO FOODS is a fully integrated poultry processing and packaging company with a corporate office located in Tuscaloosa, Alabama, and processing plants throughout Mississippi, Alabama, and Arkansas. According to the website's About Us page, PECO FOODS is the eighth largest poultry producer in the United States producing 24 million pounds of poultry per week, and is privately held and family managed. The website's "About Us" page lists processing plants in the below locations:

Bay Springs, Mississippi

Sebastopol, Mississippi

Canton, Mississippi

The website's "About Us" page lists live operations offices in the below locations:

Bay Springs, Mississippi

Sebastopol, Mississippi

8. The website's "About Us" page lists feed mills in the below locations:

Bay Springs, Mississippi

9. The website's "About Us" page lists hatcheries in the below locations:

Sebastopol, Mississippi

HISTORICAL ICE ENCOUNTERS/ARRESTS

10. Queries of the Enforcement Integrated Database Arrest Graphic User Interface for Law Enforcement (EAGLE) revealed approximately 222 historical ICE encounters and/or arrests (from November 18, 2002 to June 13, 2019) of illegal aliens who during processing indicated employment at PECO FOODS. In addition to indicating employment at PECO FOODS,

numerous of the illegal aliens presented agents with PECO FOODS employment identification documents (IDs), containing their photographs and assumed identities utilized for employment.

11. On July 02, 2014, Esequiel Matias-Diego, a Guatemalan national, was encountered by the Jackson, Mississippi, ICE Enforcement and Removal Operations (ERO) office during a Field Operations Worksheet (FOW) at Peco Foods, 15252 MS- 21, Walnut Grove, Mississippi 39189. ERO received information that Matias-Diego was working at PECO FOODS in Sebastopol, and requested assistance from the Human Resource manager to locate Matias-Diego. According to ICE records, Matias-Diego was identified as a PECO employee using the name Jose Rivera. Matias-Diego was summoned to the manager's office, and was identified by photograph by ICE officers. Matias-Diego initially stated that his name was Jose Rivera and that he was a citizen and national of Mexico. Further questioning revealed his true name and citizenship to be that of Esequiel Matias-Diego and a Guatemalan citizen. It was determined that Matias-Diego did not possess legal documents to work or reside in the United States. Matias-Diego was administratively arrested by ERO Jackson and transported for processing. During processing Matias-Diego presented a PECO FOODS ID card. The front face of the PECO FOODS ID card contained the below identifiers:

A photograph appearing to be Esequiel Matias-Diego

The name Jose Rivera

"Peco Foods, Inc."

The back of the PECO FOODS ID card contained the below identifiers:

"This card is the property of PECO."

"If you are going to be absent or late, please telephone your Supervisor or Personnel immediately at 601-625-7432 or 1-800-748-0687."

“If found please drop in any U.S. Mailbox

Return Postage Guaranteed

Peco Foods, Inc.

P.O. Box 319

Sebastopol, MS 39359”

12. Open source queries for phone number 601-625-7432 revealed website www.pecofoods.com/contacts.php. The PECO FOODS webpage listed contact information for all their locations including:

“Peco Foods, Inc. – Sebastopol Processing Plant

Highway 21 South

P.O. Box 319

Sebastopol, MS 39359

Phone: (601) 625-7432”

13. On August 10, 2015, Jose De Jesus-Hernandez, a Guatemalan national, was encountered by the Jackson, Mississippi, ICE ERO office during Criminal Alien Program (CAP) checks at the Leake County Detention Center in Carthage, Mississippi. According to ICE records, De Jesus-Hernandez was identified as being a citizen of Guatemala and did not possess legal documents to work or reside in the United States. De Jesus-Hernandez was administratively arrested by ERO Jackson. ICE records listed the “Name and Address of (Last)(Current) United States Employer” as “PECO FOODS Sebastopol, MS.” During processing De Jesus-Hernandez presented a PECO FOODS ID card. The front face of the PECO FOODS ID card contained the below identifiers:

A photograph appearing to be Jose De Jesus-Hernandez

The name Alex Chavez

“Peco Foods, Inc.”

The back of the Peco Foods ID card contained the below identifiers:

“This card is the property of PECO.”

“If you are going to be absent or late, please telephone your Supervisor or Personnel immediately at 601-625-7432 or 1-800-748-0687.”

“If found please drop in any U.S. Mailbox

Return Postage Guaranteed

Peco Foods, Inc.

P.O. Box 319

Sebastopol, MS 39359”

14. On November 29, 2016, Andres Marquirez-Lucas, a Guatemalan national, was encountered by the Jackson, Mississippi, ICE ERO office during an FOW in Forest, Mississippi. According to ICE records, Marquirez-Lucas was identified as being a citizen of Guatemala and did not possess legal documents to work or reside in the United States. Marquirez-Lucas was administratively arrested by ERO Jackson and transported for processing. ICE records listed the “Name and Address of (Last)(Current) United States Employer” as “PECO FOODS.” During processing Marquirez-Lucas presented a PECO FOODS ID card. The front face of the PECO FOODS ID card contained the below identifiers:

A photograph appearing to be Andres Marquirez-Lucas

The name James Pasillas

“Peco Foods, Inc.

Sebastopol Division”

The back of the PECO FOODS ID card contained the below identifiers:

“This card is the property of PECO.”

“If you are going to be absent or late, please telephone your Supervisor or Personnel immediately at 601-625-7432 or 1-800-748-0687.”

“If found please drop in any U.S. Mailbox.

Return Postage Guaranteed:

Peco Foods of Mississippi, Inc.

P.O. Box 319

Sebastopol, MS 39359”

ALTERNATIVES TO DETENTION

15. ICE routinely utilizes the Alternatives to Detention (ATD) Program for subjects in ICE custody. The Alternatives to Detention Program is a flight-mitigation tool that uses technology and case management to ensure compliance with release conditions and facilitate alien compliance with court hearings and final orders of removal while allowing aliens to remain in their community contributing to their families, community organizations, and, if necessary, wrapping-up their affairs in the United States as they move through immigration proceedings. The ATD Program is not a substitute for detention nor is it used as a removal tool; however, the program may be appropriate for an alien who is released pursuant to: an Order of Release on Recognizance (OREC), an Order of Supervision (OSUP), a grant of parole; or a bond (unless the immigration judge or board of immigration appeals has determined custody and did not include ATD as a provision). To be eligible for the ATD program participants must be adults 18 years of age or older, be removable, and be at some stage of immigration proceedings. The ATD Program supervises participants, with contractor support, utilizing a combination of home visits, office visits, alert response, court tracking, and technology. The current government contractor (BI Inc.) for ATD operates under the Intensive Supervision Appearance Program (ISAP). The contract known as the ISAP III allows ATD officers the ability to determine the frequency of home and office visits, types of technology, telephonic, GPS or SmartLink, court and alert management. Case management levels and technology assignment can be reviewed and adjusted by the ATD officer at any time depending upon change in circumstances and compliance.

16. The ATD Program utilizes three (3) different forms of technology that help monitor participants while enrolled in the program. The forms of technology include:

- a. Telephonic reporting utilizes a participant's voice to create a biometric voiceprint during the enrollment process, every time the participant calls in his/her voice is compared against the voiceprint.
- b. GPS monitoring requires at least three (3) satellites to locate a unit attached to the participant's ankle. When a participant is within range of more than three satellites a GPS unit give more accurate data regarding the participant's location.
- c. SmartLink enables ATD officers and case specialists to keep participants focused on the conditions of release via their smartphone or tablet, they are able to verify a participant's identity, determine their location, and quickly collect status change information.

17. Enrollment in the ATD program does not grant any immigration benefits including employment authorization.

ILLEGAL ALIENS ENROLLED IN ATD & EMPLOYED BY PECO FOODS

18. Queries of the subjects enrolled in the ICE ERO Jackson ATD program revealed 21 illegal aliens worked at PECO FOODS processing plants in Mississippi. Of the 21 identified illegal aliens currently working at PECO FOODS processing plants in Mississippi, as of July 29, 2019, two illegal aliens worked at the PECO FOODS processing plant in Sebastopol, Mississippi (15252 MS-21, Walnut Grove, Mississippi 39189.)

19. Below are examples of subjects enrolled in the ICE/ERO Jackson ATD program who have reported working for PECO FOODS and the analysis of historical GPS coordinates for the subjects:

20. On March 27, 2018, Katarina Pablo-Pablo, a Guatemalan national, was encountered by United States Customs and Border Protection (CBP) officers at the Paso Del Norte International Bridge in El Paso, Texas. At the time of the encounter, CBP officers determined Pablo-Pablo did not possess legal documents to work or reside in the United States. Pablo-Pablo was administratively arrested, processed as a Notice to Appear, and turned over to ICE for custody determination. Pablo-Pablo provided ICE with an address of 452 North Broad Street, Forest, Mississippi, was enrolled in the ICE ERO ATD program, and placed on GPS monitoring pending removal from the United States.

21. Queries of the historical GPS coordinates associated with Katarina Pablo-Pablo's electronic monitoring ankle bracelet revealed numerous daily captured coordinates located within the PECO FOODS Sebastopol Processing Plant. Historical GPS coordinates also revealed Pablo-Pablo travels from Forest, Mississippi, to the PECO FOODS Sebastopol Processing Plant multiple times a week. Upon arriving at the PECO FOODS Sebastopol Processing Plant, Pablo-Pablo remains on the PECO FOODS Sebastopol Processing Plant property for approximately 8 to 10 hours. For example, on April 10, 2019, at approximately 1:10 pm Pablo-Pablo left her residence and began travelling to the PECO FOODS Sebastopol Processing Plant. Pablo-Pablo arrived at the PECO FOODS Sebastopol Processing Plant at approximately 1:27 pm. Pablo-Pablo remained at the PECO FOODS Sebastopol Processing Plant until approximately 12:27 am on April 11, 2019, when she departed and returned to her residence.

22. Record checks for Katarina Pablo-Pablo revealed she does not have employment authorization from the United States Department of Homeland Security.

23. On July 12, 2018, Maria Silvestre-Mendoza, a Guatemalan national, was encountered by USBP agents near Yuma, Arizona. At the time of the encounter, USBP agents

determined Silvestre-Mendoza did not possess legal documents to work or reside in the United States. Silvestre-Mendoza was administratively arrested, processed as a Notice to Appear, and turned over to ICE for custody determination. Silvestre-Mendoza provided ICE with an address of 300 North Banks Street, Forest, Mississippi, was enrolled in the ICE ERO ATD program, and placed on GPS monitoring pending removal from the United States.

24. Queries of the historical GPS coordinates associated with Maria Silvestre-Mendoza's electronic monitoring ankle bracelet revealed numerous daily captured coordinates located within the PECO FOODS Sebastopol Processing Plant. Historical GPS coordinates also revealed Silvestre-Mendoza travels from Forest, Mississippi, to the PECO FOODS Sebastopol Processing Plant multiple times a week. Upon arriving at the PECO FOODS Sebastopol Processing Plant, Silvestre-Mendoza remains on the PECO FOODS Sebastopol Processing Plant property for approximately 8 to 10 hours. For example, on April 11, 2019, at approximately 1:40 pm Silvestre-Mendoza left her residence and began travelling to the PECO FOODS Sebastopol Processing Plant. Silvestre-Mendoza arrived at the PECO FOODS Sebastopol Processing Plant at approximately 4:03 pm. Silvestre-Mendoza remained at the PECO FOODS Sebastopol Processing Plant until approximately 12:50 m on April 12, 2019, when she departed and returned to her residence.

25. Record checks for Maria Silvestre-Mendoza revealed she does not have employment authorization from the United States Department of Homeland Security.

26. On July 24, 2015, Florencia ALONSO-Alonso, a Guatemalan national, was encountered by United States Customs and Border Protection (CBP) officers at the Douglas, Arizona Port of Entry. At the time of the encounter, CBP officers determined ALONSO-Alonso did not possess legal documents to work or reside in the United States. ALONSO-Alonso was

administratively arrested, processed for an Expedited Removal, and turned over to ICE for custody determination. ALONSO-Alonso provided ICE with an address of 624 N Banks St., Forest, Mississippi, was enrolled in the ICE ERO ATD program, and placed on GPS monitoring pending removal from the United States.

27. Queries of the historical GPS coordinates associated with Florencia Alonso-Alonso's electronic monitoring ankle bracelet revealed numerous daily captured coordinates located within the PECO FOODS Sebastopol Processing Plant. Historical GPS coordinates also revealed Alonso-Alonso travels from Forest, Mississippi, to the PECO FOODS Sebastopol Processing Plant multiple times a week. Upon arriving at the PECO FOODS Sebastopol Processing Plant, Alonso-Alonso remains on the PECO FOODS Sebastopol Processing Plant property for approximately 8 to 10 hours. For example, on July 25, 2019, at approximately 1:40 pm Alonso-Alonso left her residence and began travelling to the PECO FOODS Sebastopol Processing Plant. Alonso-Alonso arrived at the PECO FOODS Sebastopol Processing Plant at approximately 4:06 pm. Alonso-Alonso remained at the PECO FOODS Sebastopol Processing Plant until approximately 1:13 am on July 26, 2019, when she departed and returned to her residence.

28. Record checks for Florencia Alonso-Alonso revealed she does not have employment authorization from the United States Department of Homeland Security.

29. On September 24, 2018, Nancy Elizabeth LOPEZ-Felix, a Guatemalan national, was encountered by United States Border Patrol Agents (BPA) in the Rio Grande Valley, Texas Border Patrol Sector. At the time of the encounter, BPA determined LOPEZ-Felix did not possess legal documents to work or reside in the United States. LOPEZ-Felix was administratively arrested, issued a Notice to Appear, and turned over to ICE for custody

determination. LOPEZ-Felix provided ICE with an address of 1045 Prospect Ave., Windom, Minnesota, was enrolled in the ICE ERO ATD program, and placed on GPS monitoring pending removal from the United States.

30. Queries of the historical GPS coordinates associated with LOPEZ-Felix' electronic monitoring ankle bracelet revealed numerous daily captured coordinates located within the PECO FOODS Sebastopol Processing Plant. Historical GPS coordinates also revealed LOPEZ-Felix travels from Forest, Mississippi, to the PECO FOODS Sebastopol Processing Plant multiple times a week. Upon arriving at the PECO FOODS Sebastopol Processing Plant, LOPEZ-Felix remains on the PECO FOODS Sebastopol Processing Plant property for approximately 8 to 10 hours. For example, on July 25, 2019, at approximately 1:34 pm LOPEZ-Felix left her current residence (530 Old Morton Rd., Lot 2, Forest, Mississippi 39074) and began travelling to the PECO FOODS Sebastopol Processing Plant. LOPEZ-Felix arrived at the PECO FOODS Sebastopol Processing Plant at approximately 1:58 pm. Alonso-Alonso remained at the PECO FOODS Sebastopol Processing Plant until approximately 1:16 am on July 26, 2019, when she departed and returned to her residence.

31. Record checks for Nancy Elizabeth LOPEZ-Felix revealed she does not have employment authorization from the United States Department of Homeland Security.

INTERVIEW OF ATD ENROLLEE WORKING AT PECO FOODS

32. On May 6, 2019 HSI SA Todd Williams, SA Brent Young, and ERO Deportation Officer (DO) Francisco J. Ayala conducted an interview of Ana ALONZO-Alonzo at the HSI Jackson, Mississippi office. During the interview ALONZO-Alonzo provided information related to her employment at the PECO FOODS plant located on Hwy 21 South, Sebastopol, MS 39359.

33. Ana ALONZO-Alonzo is a citizen and national of Guatemala who is currently illegally present in the United States. ALONZO-Alonzo was arrested on July 25, 2015 furthering her illegal entry in to the United States and was released from custody pending removal from the United States. ALONZO-ALONZO is enrolled in the Alternatives to Detention Program and is currently reporting to ERO in Jackson, MS.

34. ALONZO-Alonzo stated that she lives in Forest, MS. She entered the United States illegally in July 2015 and has been working for PECO FOODS in Sebastopol, MS for about 5 months.

35. ALONZO-Alonzo stated that she is working under the assumed identity of Isabel Perez and is currently assigned to work nights. Her unit is responsible for the processing of chicken tenders. HSI agents verified the fraudulent name (assumed identity, Isabel S PEREZ) used by ALONZO-Alonzo and discovered it on the Mississippi Department of Employment Security (MDES), Employer's Quarterly Wage Report, 4th quarter of 2018, for PECO FOODS. The report shows that for the 4th quarter of 2018, Isabel S Perez with the corresponding social security number XXX-XX-6554, was paid a total wage of \$6,710.96 by PECO FOODS (as reported to MDES by PECO FOODS) in the 4th quarter.

36. ALONZO-Alonzo explained to the agents that she bought the assumed identity from an unidentified Black male at a laundromat in Forest, MS. According to her, she was sold a counterfeit identification card with the assumed identity and her photo, and a social security identification card for \$200.00.

ARRESTS OF ILLEGAL ALIENS EMPLOYED BY PECO FOODS

37. On June 13, 2019, at approximately 1:30 pm, Special Agents and Task Force Officers assigned to HSI Jackson established surveillance in the area of PECO FOODS, located in Sebastopol, MS.

38. At approximately 1:30 pm, DO Ayala observed a red and brown Chevrolet Astro van bearing Mississippi license plate LJI720, depart from PECO FOODS in Sebastopol, MS and travel north on Highway 21. SA Young observed the vehicle a short time later at Duett's Convenient Store in Sebastopol. The vehicle departed from Duett's Convenient Store and traveled north on Mississippi Highway 21 before turning north on Mississippi Highway 487. At approximately 4:45 pm, Leake County, Mississippi, Sheriff's Deputy Justin Sims observed the aforementioned vehicle cross the center line of Highway 487 into the southbound lane of oncoming traffic. Deputy Sims then initiated a lawful traffic stop on the vehicle at Mississippi Highway 487 and Purvis Road in Walnut Grove, Mississippi.

39. The driver of the vehicle was identified as Ramiro LOPEZ-LOPEZ (A216 XXX XXX), a native and citizen of Guatemala, along with six (6) female passengers, who were all natives and citizens of Guatemala. HSI Jackson Special Agents and Task Force Officers responded to Deputy Sims location to assist. It was determined that all occupants of the vehicle had unlawfully entered the United States without inspection or admission. All subjects were taken into custody and transported to HSI Jackson and processed for removal.

40. During processing, all subjects initially denied working for PECO FOODS in Sebastopol, but later stated that they did in fact work for PECO FOODS. Maria Marta MATIAS-PEREZ never admitted to working for PECO FOODS and claimed that she worked as a tree planter. Record checks revealed that none of the seven (7) subjects are authorized to lawfully work in the United States.

41. This affidavit is being submitted simultaneously with a criminal warrant for inspection to search at PECO FOODS, INC. – Sebastopol Processing Plant, located at 15252 MS-21, Walnut Grove, Mississippi 39189, for evidence of unlawfully employing illegal aliens.

CONCLUSION

42. Based on the facts and information as stated in this affidavit and my training and experience, I submit that this affidavit supports probable cause for a warrant to search the PREMISES described in Attachment A to seize the items described in Attachment B.

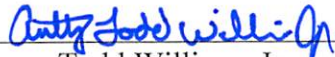
43. Based upon my training and experience, combined with the facts and observations set forth in the foregoing paragraphs, I have reason to believe that undocumented illegal aliens are present at 15252 MS-21, Walnut Grove, Mississippi 39189.

44. In consideration of the facts presented, I respectfully request that this Court issue a search warrant for the premises located at 15252 MS-21, Walnut Grove, Mississippi 39189, and all appurtenances thereto as more fully described in Attachment A and authorize the seizure of the items described in Attachment B to this Affidavit.

REQUEST FOR SEALING

45. I further request that the Court order that all papers in support of this application, including the affidavit and search warrant, be sealed until further order of the Court. These documents discuss an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation.

Respectfully submitted,



Anthony Todd Williams Jr.
Special Agent
US Immigration and Customs Enforcement
Homeland Security Investigations

Subscribed and sworn to before me on the 5th day of August, 2019.



LINDA R. ANDERSON
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT

for the
Southern District of Mississippi

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

PECO FOODS
95 Commerce Drive Bay Springs, MS 39422
as described in Attachment A

Case No. 3:19mj215 LRA

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A.

located in the Southern District of Mississippi, there is now concealed (identify the person or describe the property to be seized):

See Attachment B.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☐ contraband, fruits of crime, or other items illegally possessed;
☐ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
8 USC 1324(a)	Unlawful Employment of Aliens

The application is based on these facts:

See affidavit of SA Anthony Todd Williams, Jr., which is attached and incorporated by reference herein.

- ☒ Continued on the attached sheet.
☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Anthony Todd Williams, Jr.
Applicant's signature

Anthony Todd Williams, Jr., SA HSI
Printed name and title

Sworn to before me and signed in my presence.

Date: 08/05/2019

Linda R. Anderson
Judge's signature

City and state: Jackson, MS

Linda R. Anderson, United States Magistrate Judge
Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION



IN THE MATTER OF THE SEARCH OF
PECO FOODS
95 COMMERCE DRIVE
BAY SPRINGS, MS 39422

Case No. 3:19mj 215 LRA

Filed Under Seal

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

I, Anthony Todd Williams Jr., being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application for a search warrant to search the following premises and seize the items listed in Attachment B:

a. The business is located at 95 Commerce Drive, Bay Springs, Mississippi 39422, and its curtilage and outbuildings, appurtenances, and attached and detached garages and vehicles and trailers located on such curtilage, including any and all parking lots; more particularly described in Attachment A.

2. This affidavit sets forth facts establishing probable cause to believe that PECO FOODS and others are willfully and unlawfully employing illegal aliens in violation of Federal Law and within the locations which are further described in Attachment A, currently exists those items, set forth in Attachment B, which constitutes evidence, instrumentalities, contraband and/or fruits of the violations.

3. I am a Special Agent with Homeland Security Investigations ("HSI"), within United States Immigration and Customs Enforcement ("ICE"). I am assigned to the Office of the Resident Agent in Charge, Jackson, Mississippi. I have been trained specifically in the

investigation and elements of federal crimes at the Federal Law Enforcement Training Center at Glynnco, Georgia. I hold Bachelors of Art and Masters of Science degrees in Criminal Justice from the University of Southern Mississippi. I am also a graduate of the United States Border Patrol Academy at the Federal Law Enforcement Training Center in Artesia, New Mexico. I have approximately 10 years of experience as a federal law enforcement officer and criminal investigator.

4. My experience as a federal law enforcement officer and criminal investigator includes the investigation and prosecution of violations of criminal laws relating to unlawful entry, employment, and physical presence in the United States of individuals subject to the Immigration and Nationality Act. My current duties include conducting criminal investigations of violations of Federal Statutes and administrative violations of the Immigration and Nationality Act and Title 18 of the United States Code. As part of these duties, I have become involved in the investigation of suspected violations of Title 8, United States Code, Section 1324(a), Unlawful Employment of Aliens. Through formal and on the job training, I am experienced in crimes involving the unlawful employment of aliens. I have participated in the execution of numerous search warrants for documents and other evidence, including computers and electronic media.

5. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter. This affidavit is based on my knowledge arising from my participation in this investigation; upon information provided to me by other HSI agents, law enforcement officers and government officials jointly participating in this investigation. Because this affidavit is being submitted for

the limited purpose of establishing probable cause for the issuance of a search warrant, it does not contain every fact known to me or other agents of HSI.

6. Section 274A of the Immigration and Reform Act of 1986 (IRCA) contains provisions which require all employers to verify the employment eligibility of all new employees hired after November 6, 1986. The Form I-9 (Employment Eligibility Verification), hereto referred to as Forms I-9, was developed for verifying that persons are eligible to work in the United States. Employers must ensure the Form I-9 is completed every time a person is hired to perform labor or services in return for wages or other remuneration. Any person who, during any 12-month period, knowingly hires for employment at least 10 individuals with actual knowledge that the individuals are unauthorized aliens is in violation of Title 8, United States Code, Section 1324(a)(3)(A).

7. Intentional hiring of unauthorized aliens is a violation of Title 8, United States Code, Section 1324a. A person or entity which engages in a pattern and practice of violations in this Section shall be fined no more than \$3000 for each unauthorized alien with whom such a violation occurs, imprisoned for not more than six months for the entire pattern or practice, or both, notwithstanding the provisions of any other Federal law relating to fine levels.

8. A person who violates Title 8, United States Code, Section 1324, subparagraph (A), and in which the offense was done for the purpose of commercial advantage or private financial gain is in violation of Title 8, United States Code, Section 1324(a)(1)(B)(i).

9. Intentional false statements, by making or using any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement on Forms I-9 is a felony violation of Title 18, United States Code, Section 1001.

10. The Form I-9 is comprised of three Sections. Section 1 is to be completed by the employee at the time of hire. This Section contains the fields of name, address, date of birth, social security number, and the attestation of the employee as to their immigration status in the United States. Section 2 is to be completed by the employer and consists of three separate columns for List A, List B, and List C documents. The employer is required to examine original documents presented by an employee and then complete this Section within three (3) days of the date the employment begins. Some documents such as United States Passports, Certificates of Naturalization, Alien Registration Cards or Employment Authorization Cards establish both identity and employment eligibility (List A). Other documents such as Drivers Licenses, and Voter Registrations Cards establish identity only (List B), while documents such as Social Security Cards and birth certificates establish employment eligibility only (List C). In order for an employee to be deemed eligible to work by the employer, that employer must examine both one (1) document from List A, or one document from List B and one document from List C. If employees are unable to present the required document(s) within 3 business days of the date the employment begins, they must present a receipt for the application for the document within three business days. Employers must retain all I-9(s) for 3 years after the date of employment begins or 1 year after the person's employment is terminated, whichever is later. Section 3 is completed by the employer to re-verify the employment authorization for current employees. When an employee's work authorization expires, employers are required to re-verify on the form I-9 not later than the date the employee's work authorization expires.

11. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that violations of Title 8 and Title 18 of the United States Code have been committed by PECO FOODS and others. There is also probable cause to search the

premises described in Attachment A for evidence of these crimes and contraband or fruits of these crimes, as described in Attachment B.

PROBABLE CAUSE

12. Open source queries for PECO FOODS revealed website <http://www.pecofoods.com>. According to the website's homepage, PECO FOODS is a fully integrated poultry processing and packaging company with a corporate office located in Tuscaloosa, Alabama, and processing plants throughout Mississippi, Alabama, and Arkansas. According to the website's "About Us" page, PECO FOODS is the eighth largest poultry producer in the United States producing 24 million pounds of poultry per week, and is privately held and family managed. The website's "About Us" page lists processing plants in the below locations:

Tuscaloosa, Alabama

Bay Springs, Mississippi

Sebastopol, Mississippi

Canton, Mississippi

Brooksville, Mississippi

Batesville, Arkansas

Pocahontas, Arkansas

The website's "About Us" page lists live operations offices in the below locations:

Gordo, Alabama

Bay Springs, Mississippi

Sebastopol, Mississippi

Philadelphia, Mississippi

Batesville, Arkansas

Pocahontas, Arkansas

13. The website's "About Us" page lists feed mills in the below locations:

Gordo, Alabama

Bay Springs, Mississippi

Lake, Mississippi

Philadelphia, Mississippi

Newark, Arkansas

Corning, Arkansas

14. The website's "About Us" page lists hatcheries in the below locations:

Gordo, Alabama

Sebastopol, Mississippi

Philadelphia, Mississippi

Batesville, Arkansas

Pocahontas, Arkansas

HISTORICAL ICE ENCOUNTERS/ARRESTS

15. Queries of the Enforcement Integrated Database Arrest Graphic User Interface for Law Enforcement (EAGLE) revealed approximately 222 historical ICE encounters and/or arrests (from November 18, 2002 to June 13, 2019) of illegal aliens who during processing indicated employment at PECO FOODS. In addition to indicating employment at PECO FOODS, many of the illegal aliens presented agents with PECO FOODS employment identification documents (IDs), containing their photographs and assumed identities utilized for employment.

16. On February 02, 2012, Eleuterio Ramirez-Lopez, a Mexican national, was encountered by the Jackson, Mississippi, ICE ERO office during Criminal Alien Program (CAP) checks at the Jasper County Detention Center in Bay Springs, Mississippi. It was determined that Ramirez-Lopez did not possess legal documents to work or reside in the United States. Ramirez-Lopez was administratively arrested by ERO Jackson and transported for processing. ICE processing records listed Ramirez-Lopez's "Name and Address of (Last)(Current) United States Employer" as "Peco Foods US." During processing Ramirez-Lopez presented a Peco Foods ID card. The front face of the Peco Foods ID card contained the below identifiers:

A photograph appearing to be Eleuterio Ramirez-Lopez

The name Eleuterio Ramirez

"Peco Foods, Inc."

The back of the Peco Foods ID card contained the below identifiers:

"This card is the property of PECO."

"If you are going to be absent or late, please telephone your Supervisor or Personnel immediately at 601-764-4392."

"If found please drop in any United States Mailbox

Return Postage Guaranteed

Peco Foods of Mississippi, Inc.

P.O. Box 1905

Bay Springs, MS 39422"

17. Open source queries for phone number 601-764-4392 revealed website www.pecofoods.com/contacts.php. The Peco Foods webpage listed contact information for all their locations including:

“Peco Foods, Inc. – Bay Springs Processing Plant

95 Commerce Drive Industrial Park

Bay Springs, MS 39422

Phone: (601) 764-4392”

18. On February 02, 2012, Fidel Alvarez-Anselmo, a Mexican national, was encountered by the Jackson, Mississippi, ICE ERO office during CAP checks at the Jasper County Detention Center in Bay Springs, Mississippi. It was determined that Alvarez-Anselmo did not possess legal documents to work or reside in the United States. Alvarez-Anselmo was administratively arrested by ERO Jackson and transported for processing. ICE processing records listed Alvarez-Anselmo’s “Name and Address of (Last)(Current) United States Employer” as “Peco Foods.” During processing, Alvarez-Anselmo presented a Peco Foods ID card. The front face of the Peco Foods ID card contained the below identifiers:

A photograph appearing to be Fidel Alvarez-Anselmo

The name Martin Vargas

“Peco Foods, Inc.”

The back of the Peco Foods ID card contained the below identifiers:

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ALTERNATIVES TO DETENTION

19. ICE routinely utilizes the Alternatives to Detention (ATD) Program for subjects in ICE custody. The Alternatives to Detention Program is a flight-mitigation tool that uses technology and case management to ensure compliance with release conditions and facilitate alien compliance with court hearings and final orders of removal while allowing aliens to remain in their community contributing to their families, community organizations, and, if necessary, wrapping-up their affairs in the United States as they move through immigration proceedings. The ATD Program is not a substitute for detention nor is it used as a removal tool; however, the program may be appropriate for an alien who is released pursuant to: an Order of Release on Recognizance (OREC), an Order of Supervision (OSUP), a grant of parole; or a bond (unless the immigration judge or board of immigration appeals has determined custody and did not include ATD as a provision). To be eligible for the ATD program participants must be adults 18 years of age or older, be removable, and be at some stage of immigration proceedings. The ATD Program supervises participants, with contractor support, utilizing a combination of home visits, office visits, alert response, court tracking, and technology. The current government contractor (BI Inc.) for ATD operates under the Intensive Supervision Appearance Program (ISAP). The ISAP III contract allows ATD officers the ability to determine the frequency of home and office visits, types of technology, telephonic, GPS or SmartLink, court and alert management. Case management levels and technology assignment can be reviewed and adjusted by the ATD officer at any time depending upon change in circumstances and compliance.

20. The ATD Program utilizes three (3) different forms of technology that help monitor participants while enrolled in the program. The forms of technology include:

- a. Telephonic reporting utilizes a participant's voice to create a biometric voiceprint during the enrollment process, every time the participant calls in his/her voice is compared against the voiceprint.
- b. GPS monitoring requires at least three (3) satellites to locate a unit attached to the participant's ankle. When a participant is within range of more than three satellites a GPS unit give more accurate data regarding the participant's location.
- c. SmartLink enables ATD officers and case specialists to keep participants focused on the conditions of release via their smartphone or tablet, they are able to verify a participant's identity, determine their location, and quickly collect status change information.

21. Enrollment in the ATD program does not grant any immigration benefits including employment authorization.

ILLEGAL ALIENS ENROLLED IN ATD & EMPLOYED BY PECO FOODS

22. Queries of the subjects enrolled in the ICE ERO Jackson ATD program revealed 21 illegal aliens worked at PECO FOODS processing plants in Mississippi. Of the 21 identified illegal aliens currently working at PECO FOODS processing plants in Mississippi, as of July 29, 2019, one illegal alien currently on ADT was working at the PECO FOODS processing plant in Bay Springs, Mississippi (95 Commerce Drive, Bay Springs, Mississippi 39422.)

23. Below are examples of subjects enrolled in the ICE/ERO Jackson ATD program who have worked for PECO FOODS and the analysis of historical GPS coordinates for the subjects:

24. On November 12, 2017, Romelia Mendez-Perez, a Guatemalan national, was encountered by United States Border Patrol (USBP) agents near Lukeville, Arizona. At the time of the encounter, Mendez-Perez was accompanied by her juvenile son. USBP agents determined Mendez-Perez did not possess legal documents to work or reside in the United States. Mendez-Perez was administratively arrested by USBP and transported for processing. Mendez-Perez was processed as an Expedited Removal and turned over to ICE for custody determination. Mendez-Perez provided ICE with an address of 1202 North 4th Avenue, Laurel, Mississippi, was enrolled in the ICE ERO ATD program, and placed on GPS monitoring pending removal from the United States.

25. Queries of the historical GPS coordinates associated with Romelia Mendez-Perez's electronic monitoring ankle bracelet revealed numerous daily captured coordinates located within the Peco Foods Bay Springs Processing Plant. Historical GPS coordinates also revealed Mendez-Perez travels from Laurel, Mississippi, to the Peco Foods Bay Springs Processing Plant multiple times a week. Upon arriving at the Peco Foods Bay Springs Processing Plant, Mendez-Perez remains on the Peco Foods Bay Springs Processing Plant property for approximately 8 to 10 hours. For example, on April 11, 2019, at approximately 3:45 pm Mendez-Perez left her residence in Laurel, Mississippi, and began travelling to the Peco Foods Bay Springs Processing Plant. Mendez-Perez arrived at the Peco Foods Bay Springs Processing Plant at approximately 4:15 pm. Mendez-Perez remained at the Peco Foods Bay Springs Processing Plant until approximately 1:18 pm on April 12, 2019, when she departed and returned to her residence.

26. Record checks for Romelia Mendez-Perez revealed she does not possess employment authorization from the United States Department of Homeland Security.

27. On October 21, 2018, Abegail Lopez-Ramos, a Guatemalan national, was encountered by USBP agents near El Centro, California. At the time of the encounter, Lopez-Ramos was accompanied by his juvenile daughter. USBP agents determined Lopez-Ramos did not possess legal documents to work or reside in the United States. Lopez-Ramos was administratively arrested by USBP and transported for processing. Lopez-Ramos was processed as a Notice to Appear and turned over to ICE for custody determination. Lopez-Ramos provided ICE with an address of 824 North 10th Avenue, Laurel, Mississippi, was enrolled in the ICE ERO ATD program, and placed on GPS monitoring pending removal from the United States.

28. Queries of the historical GPS coordinates associated with Abegail Lopez-Ramos's electronic monitoring ankle bracelet revealed numerous daily captured coordinates located within the Peco Foods Bay Springs Processing Plant. Historical GPS coordinates also revealed Lopez-Ramos travels from Laurel, Mississippi, to the Peco Foods Bay Springs Processing Plant multiple times a week. Upon arriving at the Peco Foods Bay Springs Processing Plant, Lopez-Ramos remains on the Peco Foods Bay Springs Processing Plant property for approximately 8 to 10 hours. For example, on June 22, 2019, at approximately 5:15 am Lopez-Ramos left his residence in Laurel, Mississippi, and began travelling to the Peco Foods Bay Springs Processing Plant. Lopez-Ramos arrived at the Peco Foods Bay Springs Processing Plant at approximately 5:59 am. Lopez-Ramos remained at the Peco Foods Bay Springs Processing Plant until approximately 6:35 pm, when he departed and returned to his residence.

29. Record checks for Abegail Lopez-Ramos revealed he does not possess employment authorization from the United States Department of Homeland Security.

30. On September 03, 2018, Artemio Lopez-Simon, a Guatemalan national, was encountered by USBP agents near Yuma, Arizona. At the time of the encounter, Lopez-Simon

was accompanied by his juvenile daughter. USBP agents determined Lopez-Simon did not possess legal documents to work or reside in the United States. Lopez-Simon was administratively arrested by USBP and transported for processing. Lopez-Simon was processed as a Notice to Appear and turned over to ICE for custody determination. Lopez-Simon provided ICE with an address of 817 North 14th Avenue, Laurel, Mississippi, was enrolled in the ICE ERO ATD program, and placed on GPS monitoring pending removal from the United States.

31. Queries of the historical GPS coordinates associated with Artemio Lopez-Simon's electronic monitoring ankle bracelet revealed numerous daily captured coordinates located within the Peco Foods Bay Springs Processing Plant. Historical GPS coordinates also revealed Lopez-Simon travels from Laurel, Mississippi, to the Peco Foods Bay Springs Processing Plant multiple times a week. Upon arriving at the Peco Foods Bay Springs Processing Plant, Lopez-Simon remains on the Peco Foods Bay Springs Processing Plant property for approximately 8 to 10 hours. For example, on July 25, 2019, at approximately 3:58 pm Lopez-Simon left his residence in Laurel, Mississippi, and began travelling to the Peco Foods Bay Springs Processing Plant. Lopez-Simon arrived at the Peco Foods Bay Springs Processing Plant at approximately 4:31 pm. Lopez-Simon remained at the Peco Foods Bay Springs Processing Plant until approximately 1: 35 am on July 26, 2019, when he departed and returned to his residence.

32. Record checks for Artemio Lopez-Simon revealed he does not possess employment authorization from the United States Department of Homeland Security.

RECORDED CONVERSATION WITH HUMAN RESOURCE EMPLOYEE

33. On June 21, 2018, at approximately 7:06 pm, HSI SA Todd Williams and HSI Technical Enforcement Officer (TEO) Sam Hodges, conducted a recorded conversation between Confidential Informant (CI) SA-109-JA, a former employee of PECO FOODS-Bay Springs,

whose employment ended around March, 2019, and PECO FOODS Human Resources (HR) employee Dabeivys LOPEZ at the Bay Springs Processing Plant. SA-109-JA has historically provided credible and reliable information related to HR employees who work at PECO FOODS. The conversation was video, and audio recorded for evidentiary purposes. The following is a summary of the conversation and is not intended to be a transcription. At approximately 7:11pm, SA-109-JA entered the HR building at the Bay Springs Processing Plant and encountered LOPEZ in her office. At approximately 7:13 pm, SA-109-JA and LOPEZ exit the HR building and began speaking near the parking lot.

34. At approximately 7:21 pm, SA-109-JA mentioned the name “Ernesto” and LOPEZ responded, “he got papers.” (referring to United States Immigration Identification Documents) SA-109-JA mentioned that Ernesto LNU came back with his real name, suggesting Ernesto LNU previously worked at PECO FOODS utilizing a different identity. LOPEZ responded “that should have been a red flag” because PECO FOODS previously hired him under a different name. SA-109-JA mentioned that Ernesto LNU left PECO FOODS and traveled to Florida. Upon Ernesto LNU’s return, SA-109-JA stated she saw him and called him by his name Ernesto and he stopped and corrected her and stated his name was now Felix. LOPEZ responded that Ernesto LNU is not the first employee that was hired on two separate occasions with two different identities.

35. SA-109-JA questioned LOPEZ about the name of an employee that she works with on the line, and LOPEZ responded with the name “Margarita” and said she got her papers too. SA-109-JA stated to LOPEZ that Margarita was hired on two separate occasions with two different identities. SA-109-JA asked LOPEZ what other name Margarita utilized to work at PECO FOODS, and LOPEZ responded “Maria.” LOPEZ stated Margarita was originally hired

utilizing the name Maria Gillum and was later hired a second time utilizing the name Margarita Hernandez. LOPEZ complained that PECO FOODS management does not care. At approximately 7:23 pm, the conversation was ended.

ARRESTS OF ILLEGAL ALIENS EMPLOYED BY PECO FOODS

36. On May 22, 2019, ICE officers encountered Zenon Gerardo-Cabanzo, an illegal alien from Mexico, while conducting surveillance in Laurel, Mississippi. Gerardo-Cabanzo, was administratively arrested by ICE officers and transported to the HSI Jackson, Mississippi, office for administrative processing.

37. On May 22, 2019, HSI SA Todd Williams and TEO Sam Hodges conducted an interview of Zenon Gerardo-Cabanzo at the HSI Jackson, Mississippi office. During the interview, Gerardo-Cabanzo stated that he is a Mexican national that illegally entered the United States approximately 10 years ago. Gerardo-Cabanzo stated that he has been employed at the PECO FOODS chicken processing plant in Bay Springs, Mississippi, (95 Commerce Drive, Bay Springs, Mississippi) for approximately six to seven years. According to Gerardo-Cabanzo, he works stacks boxes in the freezer during the day shift (i.e., 8:00 am to 4:30/5:00 pm.) Gerardo-Cabanzo stated that his supervisor is an unknown white male approximately 40 to 50 years of age. According to Gerardo-Cabanzo, his supervisor does not speak the Spanish language, and utilizes other employees that speak both English and Spanish to interpret if he needs to communicate with his employees. Gerardo-Cabanzo stated that there are mostly black employees working in his section, but there are approximately 3-4 Hispanic employees that work on his shift.

38. According to Gerardo-Cabanzo, he utilized the identity of Alejandro Perez to gain employment at PECO FOODS. Gerardo-Cabanzo stated that a friend gave him a social security card and fraudulent identification document use for employment.

39. A search of Mississippi Department of Employment Security records containing Employer's Quarterly Wages for PECO FOODS, revealed on the first quarter of 2019, Alejandro Perez (social security number XXX-XX-1821) earned \$8,073.57. Additional analysis of PECO FOODS first quarter of 2019 wages revealed Zenon Gerardo-Cabanzo was not earning wages.

40. On May 22, 2019, ICE officers encountered Agustin Gabriel-Gabriel, an illegal alien from Guatemala, while conducting surveillance in Laurel, Mississippi. Gabriel-Gabriel was administratively arrested by ICE officers and transported to the HSI Jackson, Mississippi, office for administrative processing.

41. On May 22, 2019, HSI SAs Todd Williams and Chip Carter conducted an interview of Agustin Gabriel-Gabriel at the HSI Jackson, Mississippi office. During the interview, Gabriel-Gabriel stated that he is a Guatemalan national that illegally entered the United States approximately 15 years ago. Gabriel-Gabriel stated that he moved to Mississippi in 2012. Gabriel-Gabriel stated that he has been employed at the PECO FOODS chicken processing plant in Bay Springs, Mississippi, (95 Commerce Drive, Bay Springs, Mississippi) for approximately seven years. According to Gabriel-Gabriel, he weighs chickens during the day shift (i.e., 8:45 am to 1645 pm.)

42. According to Gabriel-Gabriel, he utilized the identity of George Garcia to gain employment at PECO FOODS. Gabriel-Gabriel stated that he provided a social security card containing George Garcia's personal identifying information to an unknown Hispanic female

secretary that spoke Spanish. According to Gabriel-Gabriel, the unknown Hispanic female secretary never returned the social security card.

43. During processing, Gabriel-Gabriel presented a PECO FOODS ID card. The front face of the PECO FOODS ID card contained the below identifiers:

A photograph appearing to be Agustin Gabriel-Gabriel

Employee Number 014513

The name George Garcia

“Peco Foods, Inc.”

44. A search of Mississippi Department of Employment Security records containing Employer’s Quarterly Wages for PECO FOODS, revealed on the first quarter of 2019, George O Garcia (social security number XXX-XX-2307) earned \$8,190.19. Additional analysis of PECO FOODS first quarter of 2019 wages revealed Agustin Gabriel-Gabriel was not earning wages.

45. On May 22, 2019, ICE officers encountered Yesenia Ortiz-Ramirez, an illegal alien from Mexico, while conducting surveillance in Laurel, Mississippi. Ortiz-Ramirez was administratively arrested by ICE officers and transported to the HSI Jackson, Mississippi, office for administrative processing.

46. On May 22, 2019, HSI SA Todd Williams and ICE ERO DO Francisco Ayala conducted an interview of Yesenia Ortiz-Ramirez at the HSI Jackson, Mississippi office. During the interview, Ortiz-Ramirez stated that she is a Mexican national that illegally entered the United States approximately six years ago. Ortiz-Ramirez stated that she came to Mississippi because she was told by people from Mexico that there was work at various chicken plants. Ortiz-Ramirez stated that she has been employed at the PECO FOODS chicken processing plant in Bay Springs, Mississippi, (95 Commerce Drive, Bay Springs, Mississippi) for approximately

two months. According to Ortiz-Ramirez, she works in the Debone section of the processing plant and works the day shift (i.e., 7:00 am/8:00 am to 3:00 pm/4:00 pm.)

47. Ortiz-Ramirez stated that she applied for the job at PECO FOODS in Bay Springs one morning at the Human Resources office. According to Ortiz-Ramirez, an unknown black male provided her an application in the Spanish language and upon completing the application she was hired on the spot on a three-month trial basis. According to Ortiz-Ramirez, she utilized the identity of Amanda Barragan to gain employment at PECO FOODS.

48. During processing, Ortiz-Ramirez presented a PECO FOODS ID card. The front face of the PECO FOODS ID card contained the below identifiers:

A photograph appearing to be Yesenia Ortiz-Ramirez

Employee Number 014122

The name Amanda Barragan

“Peco Foods, Inc.”

49. A search of Mississippi Department of Employment Security records containing Employer’s Quarterly Wages for PECO FOODS, revealed on the first quarter of 2019, Amanda Barragan (social security number XXX-XX-3740) earned \$265.10. Additional analysis of PECO FOODS first quarter of 2019 wages revealed Yesenia Ortiz-Ramirez was not earning wages.

50. This affidavit is being submitted simultaneously with an administrative warrant for inspection to search at Peco Foods, Inc. – Bay Springs Processing Plant, located at 95 Commerce Drive, Bay Springs, Mississippi 39422, for persons believed to be working in the United States without authorization.

CONCLUSION

51. Based on the facts and information as stated in this affidavit and my training and experience, I submit that this affidavit supports probable cause for a warrant to search the PREMISES described in Attachment A to seize the items described in Attachment B.

52. Based upon my training and experience, combined with the facts and observations set forth in the foregoing paragraphs, I have reason to believe and do believe there exists probable cause that evidence of violations of Title 8, United States Code, Section 1324(a), Unlawful Employment of Aliens, Title 18, United States Code, Section 1001, Title 18, United States Code, Section 1546(a), Fraud and misuse of visas, permits, and other documents to gain employment, Title 18, United States Code, Section 1028(a)(7), Fraud and related activity in connection with identification documents, authentications features, and information, Title 18, United States Code, Section 1015(e), False statement to obtain benefits or employment, Title 18, United States Code, Section 911, False claim to be a Citizen of the United States, and Title 42, United States Code, Section 408(a)(7)(B), Use of Unauthorized Social Security Number, and fruits of such crimes or property designed, intended for or used for such crimes are located at the PREMISES described in Attachment A.

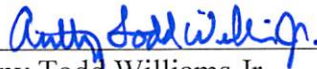
53. In consideration of the facts presented, I respectfully request that this Court issue a search warrant for the premises located at 95 Commerce Drive, Bay Springs, Mississippi 39422, and all appurtenances thereto as more fully described in Attachment A and authorize the seizure of the items described in Attachment B to this Affidavit.

REQUEST FOR SEALING

54. I further request that the Court order that all papers in support of this application, including the affidavit and search warrant, be sealed until further order of the Court. These

documents discuss an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation.

Respectfully submitted,



Anthony Todd Williams Jr.
Special Agent
US Immigration and Customs Enforcement
Homeland Security Investigations

Subscribed and sworn to before me on the 5th day of August, 2019.



LINDA R. ANDERSON
UNITED STATES MAGISTRATE JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION



IN THE MATTER OF THE SEARCH OF
PECO FOODS
95 COMMERCE DRIVE
BAY SPRINGS, MS 39422

Case No. 3:19mj 216 LRA

Filed Under Seal

AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR AN ADMINISTRATIVE SEARCH WARRANT

I, Anthony Todd Williams Jr., being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application for an administrative search warrant to search the following premises and seize the items listed in Attachment B:
 - a. The business is located at 95 Commerce Drive, Bay Springs, Mississippi 39422, and its curtilage and outbuildings, appurtenances, and attached and detached garages and vehicles and trailers located on such curtilage including any and all parking lots and persons inside vehicles; more particularly described in Attachment A.
2. This affidavit is submitted in support of an application, pursuant to Title 8, United States Code, Section 1357, for a warrant to search the premises of PECO FOODS (95 Commerce Drive, Bay Springs, Mississippi 39422) for undocumented illegal aliens.
3. I am a Special Agent with Homeland Security Investigations ("HSI"), within United States Immigration and Customs Enforcement ("ICE"). I am assigned to the Office of the Resident Agent in Charge, Jackson, Mississippi. I have been trained specifically in the investigation and elements of federal crimes at the Federal Law Enforcement Training Center at Glynco, Georgia. I hold Bachelors of Art and Masters of Science degrees in Criminal Justice

from the University of Southern Mississippi. I am also a graduate of the U.S. Border Patrol Academy at the Federal Law Enforcement Training Center in Artesia, New Mexico. I have approximately 10 years of experience as a federal law enforcement officer and criminal investigator.

4. My experience as a federal law enforcement officer and criminal investigator includes the investigation and prosecution of violations of criminal laws relating to unlawful entry, employment, and physical presence in the United States of individuals subject to the Immigration and Nationality Act. My current duties include conducting criminal investigations of violations of Federal Statutes and administrative violations of the Immigration and Nationality Act and Title 8 of the United States Code.

5. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter. This affidavit is based on my knowledge arising from my participation in this investigation; upon information provided to me by other HSI agents, law enforcement officers and government officials jointly participating in this investigation. Because this affidavit is being submitted for the limited purpose of establishing probable cause for the issuance of a search warrant, it does not contain every fact known to me or other agents of HSI.

6. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that undocumented illegal aliens are present at PECO FOODS. There is also probable cause to search the premises described in Attachment A for evidence of these crimes and contraband or fruits of these crimes, as described in Attachment B.

ADMINISTRATIVE PROBABLE CAUSE

7. Open source queries for PECO FOODS revealed website

<http://www.pecofoods.com>. According to the website's homepage, PECO FOODS is a fully integrated poultry processing and packaging company with a corporate office located in Tuscaloosa, Alabama, and processing plants throughout Mississippi, Alabama, and Arkansas. According to the website's "About Us" page, PECO FOODS is the eighth largest poultry producer in the United States producing 24 million pounds of poultry per week, and is privately held and family managed. The website's "About Us" page lists processing plants in the below locations:

Tuscaloosa, Alabama

Bay Springs, Mississippi

Sebastopol, Mississippi

Canton, Mississippi

Brooksville, Mississippi

Batesville, Arkansas

Pocahontas, Arkansas

The website's "About Us" page lists live operations offices in the below locations:

Gordo, Alabama

Bay Springs, Mississippi

Sebastopol, Mississippi

Philadelphia, Mississippi

Batesville, Arkansas

Pocahontas, Arkansas

8. The website's "About Us" page lists feed mills in the below locations:

Gordo, Alabama

Bay Springs, Mississippi

Lake, Mississippi

Philadelphia, Mississippi

Newark, Arkansas

Corning, Arkansas

9. The website's "About Us" page lists hatcheries in the below locations:

Gordo, Alabama

Sebastopol, Mississippi

Philadelphia, Mississippi

Batesville, Arkansas

Pocahontas, Arkansas

HISTORICAL ICE ENCOUNTERS/ARRESTS

10. Queries of the Enforcement Integrated Database Arrest Graphic User Interface for Law Enforcement (EAGLE) revealed approximately 222 historical ICE encounters and/or arrests (from November 18, 2002 to June 13, 2019) of illegal aliens who during processing indicated employment at PECO FOODS. In addition to indicating employment at PECO FOODS, numerous of the illegal aliens presented agents with PECO FOODS employment identification documents (IDs), containing their photographs and assumed identities utilized for employment.

11. On February 02, 2012, Eleuterio Ramirez-Lopez, a Mexican national, was encountered by the Jackson, Mississippi, ICE ERO office during Criminal Alien Program (CAP) checks at the Jasper County Detention Center in Bay Springs, Mississippi. It was determined that

Ramirez-Lopez did not possess legal documents to work or reside in the United States. Ramirez-Lopez was administratively arrested by ERO Jackson and transported for processing. ICE processing records listed Ramirez-Lopez's "Name and Address of (Last)(Current) United States Employer" as "Peco Foods US." During processing Ramirez-Lopez presented a Peco Foods ID card. The front face of the Peco Foods ID card contained the below identifiers:

A photograph appearing to be Eleuterio Ramirez-Lopez

The name Eleuterio Ramirez

"Peco Foods, Inc."

The back of the Peco Foods ID card contained the below identifiers:

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12. Open source queries for phone number 601-764-4392 revealed website www.pecofoods.com/contacts.php. The Peco Foods webpage listed contact information for all their locations including:

"Peco Foods, Inc. – Bay Springs Processing Plant

95 Commerce Drive Industrial Park

Bay Springs, MS 39422

Phone: (601) 764-4392”

13. On February 02, 2012, Fidel Alvarez-Anselmo, a Mexican national, was encountered by the Jackson, Mississippi, ICE ERO office during CAP checks at the Jasper County Detention Center in Bay Springs, Mississippi. It was determined that Alvarez-Anselmo did not possess legal documents to work or reside in the United States. Alvarez-Anselmo was administratively arrested by ERO Jackson and transported for processing. ICE processing records listed Alvarez-Anselmo’s “Name and Address of (Last)(Current) United States Employer” as “Peco Foods.” During processing Alvarez-Anselmo presented a Peco Foods ID card. The front face of the Peco Foods ID card contained the below identifiers:

A photograph appearing to be Fidel Alvarez-Anselmo

The name Martin Vargas

“Peco Foods, Inc.”

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ALTERNATIVES TO DETENTION

14. ICE routinely utilizes the Alternatives to Detention (ATD) Program for subjects in ICE custody. The Alternatives to Detention Program is a flight-mitigation tool that uses technology and case management to ensure compliance with release conditions and facilitate alien compliance with court hearings and final orders of removal while allowing aliens to remain in their community contributing to their families, community organizations, and, if necessary, wrapping-up their affairs in the United States as they move through immigration proceedings. The ATD Program is not a substitute for detention nor is it used as a removal tool; however, the program may be appropriate for an alien who is released pursuant to: an Order of Release on Recognizance (OREC), an Order of Supervision (OSUP), a grant of parole; or a bond (unless the immigration judge or board of immigration appeals has determined custody and did not include ATD as a provision). To be eligible for the ATD program participants must be adults 18 years of age or older, be removable, and be at some stage of immigration proceedings. The ATD Program supervises participants, with contractor support, utilizing a combination of home visits, office visits, alert response, court tracking, and technology. The current government contractor (BI Inc.) for ATD operates under the Intensive Supervision Appearance Program (ISAP). The ISAP III contract allows ATD officers the ability to determine the frequency of home and office visits, types of technology, telephonic, GPS or SmartLink, court and alert management. Case management levels and technology assignment can be reviewed and adjusted by the ATD officer at any time depending upon change in circumstances and compliance.

15. The ATD Program utilizes three (3) different forms of technology that help monitor participants while enrolled in the program. The forms of technology include:

- a. Telephonic reporting utilizes a participant's voice to create a biometric voiceprint during the enrollment process, every time the participant calls in his/her voice is compared against the voiceprint.
- b. GPS monitoring requires at least three (3) satellites to locate a unit attached to the participant's ankle. When a participant is within range of more than three satellites a GPS unit give more accurate data regarding the participant's location.
- c. SmartLink enables ATD officers and case specialists to keep participants focused on the conditions of release via their smartphone or tablet, they are able to verify a participant's identity, determine their location, and quickly collect status change information.

16. Enrollment in the ATD program does not grant any immigration benefits including employment authorization.

ILLEGAL ALIENS ENROLLED IN ATD & EMPLOYED BY PECO FOODS

17. Queries of the subjects enrolled in the ICE ERO Jackson ATD program revealed 21 illegal aliens worked at PECO FOODS processing plants in Mississippi. Of the 21 identified illegal aliens currently working at PECO FOODS processing plants in Mississippi, one illegal alien as of July 29, 2019, worked at the PECO FOODS processing plant in Bay Springs, Mississippi (95 Commerce Drive, Bay Springs, Mississippi 39422.)

18. Below are examples of subjects enrolled in the ICE/ERO Jackson ATD program who have reported working for PECO FOODS and the analysis of historical GPS coordinates for the subjects:

19. On November 12, 2017, Romelia Mendez-Perez, a Guatemalan national, was encountered by United States Border Patrol (USBP) agents near Lukeville, Arizona. At the time of the encounter, USBP agents determined Mendez-Perez did not possess legal documents to work or reside in the United States. Mendez-Perez was administratively arrested by USBP and transported for processing. Mendez-Perez was processed as an Expedited Removal and turned over to ICE for custody determination. Mendez-Perez provided ICE with an address of 1202 North 4th Avenue, Laurel, Mississippi, was enrolled in the ICE ERO ATD program, and placed on GPS monitoring pending removal from the United States.

20. Queries of the historical GPS coordinates associated with Romelia Mendez-Perez's electronic monitoring ankle bracelet revealed numerous daily captured coordinates located within the Peco Foods Bay Springs Processing Plant. Historical GPS coordinates also revealed Mendez-Perez travels from Laurel, Mississippi, to the Peco Foods Bay Springs Processing Plant multiple times a week. Upon arriving at the Peco Foods Bay Springs Processing Plant, Mendez-Perez remains on the Peco Foods Bay Springs Processing Plant property for approximately 8 to 10 hours. For example, on April 11, 2019, at approximately 3:45 pm Mendez-Perez left her residence in Laurel, Mississippi, and began travelling to the Peco Foods Bay Springs Processing Plant. Mendez-Perez arrived at the Peco Foods Bay Springs Processing Plant at approximately 4:15 pm. Mendez-Perez remained at the Peco Foods Bay Springs Processing Plant until approximately 1:18 am on April 12, 2019, when she departed and returned to her residence.

21. Record checks for Romelia Mendez-Perez revealed she does not possess employment authorization from the United States Department of Homeland Security.

22. On October 21, 2018, Abegail Lopez-Ramos, a Guatemalan national, was encountered by USBP agents near El Centro, California. At the time of the encounter, USBP agents determined Lopez-Ramos did not possess legal documents to work or reside in the United States. Lopez-Ramos was administratively arrested by USBP and transported for processing. Lopez-Ramos was processed as a Notice to Appear and turned over to ICE for custody determination. Lopez-Ramos provided ICE with an address of 824 North 10th Avenue, Laurel, Mississippi, was enrolled in the ICE ERO ATD program, and placed on GPS monitoring pending removal from the United States.

23. Queries of the historical GPS coordinates associated with Abegail Lopez-Ramos's electronic monitoring ankle bracelet revealed numerous daily captured coordinates located within the Peco Foods Bay Springs Processing Plant. Historical GPS coordinates also revealed Lopez-Ramos travels from Laurel, Mississippi, to the Peco Foods Bay Springs Processing Plant multiple times a week. Upon arriving at the Peco Foods Bay Springs Processing Plant, Lopez-Ramos remains on the Peco Foods Bay Springs Processing Plant property for approximately 8 to 10 hours. For example, on June 22, 2019, at approximately 5:15 am. Lopez-Ramos left his residence in Laurel, Mississippi, and began travelling to the Peco Foods Bay Springs Processing Plant. Lopez-Ramos arrived at the Peco Foods Bay Springs Processing Plant at approximately 5:59 am. Lopez-Ramos remained at the Peco Foods Bay Springs Processing Plant until approximately 6:35 pm, when he departed and returned to his residence.

24. Record checks for Abegail Lopez-Ramos revealed he does not possess employment authorization from the United States Department of Homeland Security.

25. On September 03, 2018, Artemio Lopez-Simon, a Guatemalan national, was encountered by USBP agents near Yuma, Arizona. At the time of the encounter, USBP agents

determined Lopez-Simon did not possess legal documents to work or reside in the United States. Lopez-Simon was administratively arrested by USBP and transported for processing. Lopez-Simon was processed as a Notice to Appear and turned over to ICE for custody determination. Lopez-Simon provided ICE with an address of 817 North 14th Avenue, Laurel, Mississippi, was enrolled in the ICE ERO ATD program, and placed on GPS monitoring pending removal from the United States.

26. Queries of the historical GPS coordinates associated with Artemio Lopez-Simon's electronic monitoring ankle bracelet revealed numerous daily captured coordinates located within the Peco Foods Bay Springs Processing Plant. Historical GPS coordinates also revealed Lopez-Simon travels from Laurel, Mississippi, to the Peco Foods Bay Springs Processing Plant multiple times a week. Upon arriving at the Peco Foods Bay Springs Processing Plant, Lopez-Simon remains on the Peco Foods Bay Springs Processing Plant property for approximately 8 to 10 hours. For example, on July 25, 2019, at approximately 3:58 pm Lopez-Simon left his residence in Laurel, Mississippi, and began travelling to the Peco Foods Bay Springs Processing Plant. Lopez-Simon arrived at the Peco Foods Bay Springs Processing Plant at approximately 4:31 pm. Lopez-Simon remained at the Peco Foods Bay Springs Processing Plant until approximately 1:35 am on July 26, 2019, when he departed and returned to his residence.

27. Record checks for Artemio Lopez-Simon revealed he does not possess employment authorization from the United States Department of Homeland Security.

RECORDED CONVERSATION WITH HUMAN RESOURCE EMPLOYEE

28. On June 21, 2018, at approximately 7:06 pm, HSI SA Todd Williams and HSI Technical Enforcement Officer (TEO) Sam Hodges, conducted a recorded conversation between Confidential Informant (CI) SA-109-JA, former employee of PECO FOODS-Bay Springs and

PECO FOODS Human Resources (HR) employee Dabeivys LOPEZ at the Bay Springs Processing Plant. SA-109-JA has historically provided credible and reliable information related to HR employees who work at PECO FOODS. The conversation was video, and audio recorded for evidentiary purposes. The following is a summary of the conversation and is not intended to be a transcription. At approximately 7:11 pm, SA-109-JA entered the HR building at the Bay Springs Processing Plant and encountered LOPEZ in her office. At approximately 7:13 pm, SA-109-JA and LOPEZ exit the HR building and began speaking near the parking lot.

29. At approximately 7:21 pm, SA-109-JA mentioned the name Ernesto and LOPEZ responded, “he got papers.” (United States Immigration Identification Documents) SA-109-JA mentioned that Ernesto LNU came back with his real name, suggesting Ernesto LNU previously worked at PECO FOODS utilizing a different identity. LOPEZ responded “that should have been a red flag” because PECO FOODS previously hired him under a different name. SA-109-JA mentioned that Ernesto LNU left PECO FOODS and traveled to Florida. Upon Ernesto LNU’s return, SA-109-JA stated she saw him and called him by his name Ernesto and he stopped and corrected her and stated his name was now Felix. LOPEZ responded that Ernesto LNU is not the first employee that was hired on two separate occasions with two different identities.

30. SA-109-JA questioned LOPEZ about the name of an employee that she works with on the line, and LOPEZ responded with the name Margarita and said she got her papers too. SA-109-JA stated to LOPEZ that Margarita was hired on two separate occasions with two different identities. SA-109-JA asked LOPEZ what another name Margarita utilized to work at PECO FOODS, and LOPEZ responded “Maria.” LOPEZ stated Margarita was originally hired utilizing the name Maria Gillum and was later hired a second time utilizing the name Margarita

Hernandez. LOPEZ complained that PECO FOODS management does not care. At approximately 7:23 pm, the conversation was ended.

ARRESTS OF ILLEGAL ALIENS EMPLOYED BY PECO FOODS

31. On May 22, 2019, ICE officers encountered Zenon Gerardo-Cabanzo, an illegal alien from Mexico, while conducting surveillance in Laurel, Mississippi. Gerardo-Cabanzo, was administratively arrested by ICE officers and transported to the HSI Jackson, Mississippi, office for administrative processing.

32. On May 22, 2019, HSI SA Todd Williams and TEO Sam Hodges conducted an interview of Zenon Gerardo-Cabanzo at the HSI Jackson, Mississippi office. During the interview, Gerardo-Cabanzo stated that he is a Mexican national that illegally entered the United States approximately 10 years ago. Gerardo-Cabanzo stated that he has been employed at the PECO FOODS chicken processing plant in Bay Springs, Mississippi, (95 Commerce Drive, Bay Springs, Mississippi) for approximately six to seven years. According to Gerardo-Cabanzo, he works stacking boxes in the freezer during the day shift (i.e., 8:00 am to 4:30 pm/5:00 pm.) Gerardo-Cabanzo stated that his supervisor is an unknown white male approximately 40 to 50 years of age. According to Gerardo-Cabanzo, his supervisor does not speak the Spanish language, and utilizes other employees that speak both English and Spanish to interpret if he needs to communicate with his employees. Gerardo-Cabanzo stated that there are mostly black employees working in his section, but there are approximately 3-4 Hispanic employees that work on his shift.

33. According to Gerardo-Cabanzo, he utilized the identity of Alejandro Perez to gain employment at PECO FOODS. Gerardo-Cabanzo stated that a friend gave him a social security card and fraudulent identification document use for employment.

34. A search of Mississippi Department of Employment Security records containing Employer's Quarterly Wages for PECO FOODS, revealed on the first quarter of 2019, Alejandro Perez (social security number XXX-XX-1821) earned \$8,073.57. Additional analysis of PECO FOODS first quarter of 2019 wages revealed Zenon Gerardo-Cabanzo was not earning wages.

35. On May 22, 2019, ICE officers encountered Agustin Gabriel-Gabriel, an illegal alien from Guatemala, while conducting surveillance in Laurel, Mississippi. Gabriel-Gabriel was administratively arrested ICE officers and transported to the HSI Jackson, Mississippi, office for administrative processing.

36. On May 22, 2019, HSI SAs Todd Williams and Chip Carter conducted an interview of Agustin Gabriel-Gabriel at the HSI Jackson, Mississippi office. During the interview, Gabriel-Gabriel stated that he is a Guatemalan national that illegally entered the United States approximately 15 years ago. Gabriel-Gabriel stated that he moved to Mississippi in 2012. Gabriel-Gabriel stated that he has been employed at the PECO FOODS chicken processing plant in Bay Springs, Mississippi, (95 Commerce Drive, Bay Springs, Mississippi) for approximately seven years. According to Gabriel-Gabriel, he works weighing chickens during the day shift (i.e., 8:45 am to 4:45 pm.)

37. According to Gabriel-Gabriel, he utilized the identity of George Garcia to gain employment at PECO FOODS. Gabriel-Gabriel stated that he provided a social security card containing George Garcia's personal identifying information to an unknown Hispanic female secretary that spoke Spanish. According to Gabriel-Gabriel, the unknown Hispanic female secretary never returned the social security card.

38. During processing Gabriel-Gabriel presented a PECO FOODS ID card. The front face of the PECO FOODS ID card contained the below identifiers:

A photograph appearing to be Agustin Gabriel-Gabriel

Employee Number 014513

The name George Garcia

“Peco Foods, Inc.”

39. A search of Mississippi Department of Employment Security records containing Employer’s Quarterly Wages for PECO FOODS, revealed on the first quarter of 2019, George O Garcia (social security number XXX-XX-2307) earned \$8,190.19. Additional analysis of PECO FOODS first quarter of 2019 wages revealed Agustin Gabriel-Gabriel was not earning wages.

40. On May 22, 2019, ICE officers encountered Yesenia Ortiz-Ramirez, an illegal alien from Mexico, while conducting surveillance in Laurel, Mississippi. Ortiz-Ramirez was administratively arrested ICE officers and transported to the HSI Jackson, Mississippi, office for administrative processing.

41. On May 22, 2019, HSI SA Todd Williams and ICE ERO DO Francisco Ayala conducted an interview of Yesenia Ortiz-Ramirez at the HSI Jackson, Mississippi office. During the interview, Ortiz-Ramirez stated that she is a Mexican national that illegally entered the United States approximately six years ago. Ortiz-Ramirez stated that she came to Mississippi because she was told by people from Mexico that there was work at various chicken plants. Ortiz-Ramirez stated that she has been employed at the PECO FOODS chicken processing plant in Bay Springs, Mississippi, (95 Commerce Drive, Bay Springs, Mississippi) for approximately two months. According to Ortiz-Ramirez, she works in the Debone section of the processing plant and works the day shift (i.e., 7:00 am/ 8:00 am to 3:00 pm/4:00 pm.)

42. Ortiz-Ramirez stated that she applied for the job at PECO FOODS in Bay Springs one morning in the Human Resources office. According to Ortiz-Ramirez, an unknown black

male provided her an application in the Spanish language and upon completing the application she was hired on the spot on a three-month trial basis. According to Ortiz-Ramirez, she utilized the identity of Amanda Barragan to gain employment at PECO FOODS.

43. During processing Ortiz-Ramirez presented a PECO FOODS ID card. The front face of the PECO FOODS ID card contained the below identifiers:

A photograph appearing to be Yesenia Ortiz-Ramirez

Employee Number 014122

The name Amanda Barragan

“Peco Foods, Inc.”

44. A search of Mississippi Department of Employment Security records containing Employer’s Quarterly Wages for PECO FOODS, revealed on the first quarter of 2019, Amanda Barragan (social security number XXX-XX-3740) earned \$265.10. Additional analysis of PECO FOODS first quarter of 2019 wages revealed Yesenia Ortiz-Ramirez was not earning wages.

45. This affidavit is being submitted simultaneously with a criminal warrant for inspection to search at Peco Foods, Inc. – Bay Springs Processing Plant, located at 95 Commerce Drive, Bay Springs, Mississippi, for evidence of unlawfully employing illegal aliens.

CONCLUSION

46. Based on the facts and information as stated in this affidavit and my training and experience, I submit that this affidavit supports probable cause for a warrant to search the PREMISES described in Attachment A to seize the items described in Attachment B.

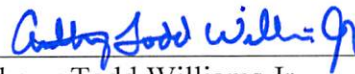
47. Based upon my training and experience, combined with the facts and observations set forth in the foregoing paragraphs, I have reason to believe that undocumented illegal aliens are present at 95 Commerce Drive, Bay Springs, Mississippi 39422.

48. In consideration of the facts presented, I respectfully request that this Court issue a search warrant for the premises located at 95 Commerce Drive, Bay Springs, Mississippi 39422, and all appurtenances thereto as more fully described in Attachment A and authorize the seizure of the items described in Attachment B to this Affidavit.

REQUEST FOR SEALING

49. I further request that the Court order that all papers in support of this application, including the affidavit and search warrant, be sealed until further order of the Court. These documents discuss an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation.

Respectfully submitted,



Anthony Todd Williams Jr.
Special Agent
US Immigration and Customs Enforcement
Homeland Security Investigations

Subscribed and sworn to before me on the 5th day of August, 2019.



LINDA R. ANDERSON
UNITED STATES MAGISTRATE JUDGE