

No. 22-179

In the Supreme Court of the United States

UNITED STATES OF AMERICA, PETITIONER

v.

HELAMAN HANSEN

*ON WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT*

JOINT APPENDIX

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PETITION FOR WRIT OF CERTIORARI FILED: AUG. 25, 2022
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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

Case No. 2:16-CR-00024-MCE
18 U.S.C. § 1341—Mail Fraud (13 Counts);
18 U.S.C. § 1343—Wire Fraud (3 Counts);
8 U.S.C. § 1324(a)(1)(A)(iv) & (B)(i)—Encouraging
and Inducing Illegal Immigration for Private
Financial Gain (2 Counts); 18 U.S.C. § 981(a)(1)(C)
and 28 U.S.C. § 2461(c)—Criminal Forfeiture

UNITED STATES OF AMERICA, PLAINTIFF

v.

HELAMAN HANSEN, DEFENDANT

[Filed: Mar. 2, 2017]

SUPERSEDING INDICTMENT

COUNTS ONE THROUGH THIRTEEN: [18 U.S.C.
§ 1341—Mail Fraud]

The Grand Jury charges:

HELAMAN HANSEN,

defendant herein, as follows:

I. BACKGROUND

At all times relevant to this Indictment,

1. Americans Helping America Chamber of Commerce (“AHA”) was a purported non-profit organization that operated out of offices in Sacramento, in the State and Eastern District of California. Among other things,

AHA purported to provide advice and assistance to adult illegal aliens residing in California and elsewhere. AHA's business activities included the marketing, sale, and maintenance of "memberships" to victims of its fraudulent "Migration Program;" an elaborate adult-adoption program that was based on the false promise that adult illegal aliens residing in the United States could achieve United States citizenship after being legally adopted by an American citizen and completing a list of additional tasks.

2. Native Hawaiians and Pacific Islanders ("NHPI") was a subsidiary of AHA and a purported nonprofit organization that operated out of offices in Sacramento, in the State and Eastern District of California. NHPI was involved in the marketing, sale, and maintenance of memberships to victims of AHA's fraudulent Migration Program. NHPI primarily targeted the foreign Pacific Islander immigrant community.

3. Community Independent Business Owners ("CIBO") was a subsidiary of AHA and purported to be an import/export company focused on trade between the United States and the South Pacific. However, CIBO's former CEO and other of its agents were involved in the marketing, sale, and maintenance of memberships to victims of AHA's fraudulent Migration Program.

4. Fijians Helping Fiji ("FHF") was a subsidiary of AHA. Agents and employees of FHF were involved in the marketing, sale, and maintenance of memberships to victims of AHA's fraudulent Migration Program. FHF purported to maintain offices in Fiji.

5. Defendant HELAMAN HANSEN was an individual residing in Elk Grove, in Sacramento County, in

the State and Eastern District of California. Defendant HELAMAN HANSEN claimed to hold a doctorate degree in Marketing and Business and referred to himself as “Dr. Hansen.” Defendant HELAMAN HANSEN was also the founder of AHA and, at various times, held various positions at AHA, including Chief Executive Officer (“CEO”), and most recently, Chairman of the Board of Directors of AHA, NHPI, and CIBO.

6. The United States Citizenship and Immigration Services (“USCIS”) was a government agency within the United States Department of Homeland Security that oversees lawful immigration to the United States.

7. An “alien” was any person who was not a citizen or a national of the United States.

8. United States immigration law imposed a numerical quota on the number of immigrant visas that could be issued and/or the number of aliens who could otherwise be admitted into the United States for permanent residence status. However, aliens who were “immediate relative[s]” of United States citizens were exempt from these numerical limitations and could obtain immigrant visas by petitioning for immediate relative status. “Immediate relatives” included “children.” The statutory definition of “child,” for purposes of the relevant immigration law, included “a child adopted while under the age of sixteen years if the child has been in the legal custody of, and has resided with, the adopting parent or parents for at least two years.”

9. The process of adjusting the immigration status of an adopted child by a family member included the completion and filing with USCIS of a Form I-130, Petition, for Alien Relative (“Form I-130”). A Form I-130 established the family relationship between a child and

relative. Filing a Form I-130 did not allow an alien relative to live or work in the United States. While a Form I-130 petition was pending, the alien relative was required to wait outside the United States to immigrate legally. In general, a Form I-130 could only be filed on behalf of an adopted alien child when all of the following conditions were met: (i) the adoption was finalized before the child's sixteenth birthday; (ii) the child had lived with the adoptive parents for at least two years, either before or after adoption; and (iii) the child had been in the adoptive parent's legal custody for at least two years, either before or after adoption. The written instructions on the face of the Form I-130 stated that it was intended to be used only in connection with adoptions of persons under the age of sixteen, and not those who had been adopted as adults.

10. Two additional paths existed under United States law to adjust the immigration status of an adopted alien child by a family member. The first additional path related to the adoption of an orphaned foreign national living overseas, which required the filing with USCIS of a Form I-600 or Form I-600A. Generally, a Form I-600 was required to have been properly filed before the orphan's sixteenth birthday. The adoption could have occurred after the orphan's sixteenth birthday, but only if the Form I-600 was filed before that day. A Form I-600 could also have been filed after the orphan's sixteenth birthday, but before the orphan's eighteenth birthday, but only if the orphan was the birth sibling of another foreign national child who had immigrated or would immigrate based on adoption by the same adoptive parents.

11. The second additional path under United States law to adjust the immigration status of an adopted child

by a family member involved an adoption under the Hague Convention, which required the filing with USCIS of a Form I-800 or Form I-800A. If a child was adopted through the Hague Convention adoption program, a Form I-800 was required to have been properly filed before the child's sixteenth birthday. Unlike the orphan program, there was no sibling exception in adoptions under the Hague Convention.

II. SCHEME TO DEFRAUD

12. Beginning in or about October 2012, and continuing through September 2, 2016, in the State and Eastern District of California and elsewhere, defendant HELAMAN HANSEN knowingly devised, intended to devise, and participated in a material scheme and artifice to defraud and to obtain money by means of materially false and fraudulent pretenses, representations, promises, and the concealment of material facts.

13. The purpose of the scheme and artifice was to obtain payment from the marketing, sale, and maintenance of "memberships" to victims of his fraudulent "Migration Program," an elaborate adult-adoption program that was based on the false promise that adult illegal aliens residing in the United States could achieve United States citizenship after being legally adopted by an American citizen and completing a list of additional tasks.

III. WAYS AND MEANS

In furtherance of the scheme and artifice to defraud, defendant HELAMAN HANSEN employed, among others, the ways and means described below.

14. To obtain money from victims in the form of membership fees and investments, defendant HELAMAN HANSEN and others acting at his direction made false representations to victims and others that AHA's Migration Program could lead to United States citizenship; that adult adoption was a path to United States citizenship; that the Migration Program was lawful; that the Migration Program had the support or authorization of the United States government or various legal experts and authorities; that similar services were offered by licensed attorneys but at greater cost; and that AHA and its affiliates had successfully used the Migration Program to obtain citizenship for other illegal aliens. The defendant and others acting at his direction also offered false justifications and explanations regarding immigration law and AHA's Migration Program to recruit victims and to keep victims enrolled in the Migration Program.

15. Beginning in or about October 2012, and continuing through September 2, 2016, defendant HELAMAN HANSEN and others acting at his direction marketed, sold, and maintained memberships to victims of AHA's fraudulent Migration Program, an elaborate adult-adoption program that was based on the false promise that adult illegal aliens living in the United States could achieve United States citizenship after being legally adopted by an American citizen and completing a list of additional tasks.

16. Defendant HELAMAN HANSEN and others acting at his direction falsely represented to victims that membership in AHA's fraudulent Migration Program and completion of its various requirements would result in legal United States citizenship for adult illegal aliens living in the United States. Early in the scheme,

the defendant and others acting at his direction sold memberships to victims for fees of approximately \$150. Over time, as defendant HELAMAN HANSEN and others acting at his direction lured an increasing number of victims to the scheme, that fee grew to \$450, then \$600, then \$5,000, then \$7,500, and eventually as high as \$10,000.

17. To induce victims to purchase memberships in AHA's fraudulent Migration Program, defendant HELAMAN HANSEN and others acting at his direction falsely promised victims that they would achieve United States citizenship within one year after being legally adopted by an American citizen. As the scheme progressed, the defendant and others acting at his direction revised their false promises to victims and assured them that they would achieve United States citizenship within two years after being legally adopted by an American citizen.

18. Defendant HELAMAN HANSEN and others acting at his direction marketed AHA's fraudulent Migration Program to victims through AHA and its subsidiaries—NHPI, CIBO, and FHF—all of which were engaged in substantially the same activity. Defendant HELAMAN HANSEN and others acting at his direction operated their scheme from shared office spaces in Sacramento, which housed AHA, NHPI, and CIBO. The defendant and others acting at his direction maintained and controlled bank accounts associated with AHA and its subsidiaries and deposited proceeds of their fraud scheme into those accounts and elsewhere.

19. Defendant HELAMAN HANSEN and others acting at his direction hired recruiting agents to work

for AHA and its subsidiaries. The duty of those recruiting agents was to find illegal aliens living in California and elsewhere to solicit to join AHA's fraudulent Migration Program. Those recruiting agents eventually received a commission of approximately \$1,500 for each victim they persuaded to purchase a membership in AHA's fraudulent Migration Program. Defendant HELAMAN HANSEN and others acting at his direction also offered those recruiting agents the opportunity to adopt victims of the scheme.

20. Victims of AHA's fraudulent Migration Program paid their membership fees in a variety of ways. Some victims delivered cash or checks to defendant HELAMAN HANSEN or others acting at his direction. Other victims mailed checks to AHA or caused cash or checks to be deposited into accounts controlled by the defendant or others acting at his direction. Other victims completed wire transfers of funds from their accounts to accounts controlled by the defendant or others acting at his direction.

21. After a victim of AHA's fraudulent Migration Program paid the membership fee, defendant HELAMAN HANSEN and others acting at his direction worked with the victim to complete an AHA membership application. In some instances, victims would mail their completed membership applications to AHA. Once a victim's membership application was processed, the defendant or others acting at his direction worked with the victim to complete an adoption petition seeking a court order resulting in legal adoption of the victim by an American citizen.

22. The defendant and others acting at his direction instructed victims to identify and recruit individuals to

adopt the victims. However, if a victim was unable to find an individual willing to legally adopt the victim, the defendant or others acting at his direction would locate an individual willing to adopt the victim. In some instances, the defendant or another acting at his direction adopted the victim.

23. Defendant HELAMAN HANSEN and others acting at his direction would include false information in victim adoption petitions. For example, if a victim of AHA's fraudulent Migration Program was not a resident of California or the county in which an adoption petition was to be filed, the defendant and others acting at his direction would include a false address in that victim's adoption petition so that the petition could be considered by the court in which it was filed. On at least one occasion, defendant HELAMAN HANSEN fired an AHA employee who refused his instruction to include false information in victim adoption petitions.

24. Defendant HELAMAN HANSEN and others acting at his direction caused AHA-facilitated adoption petitions to be filed in courts in Sacramento County, Alameda County, Marin County, and Los Angeles County, among others. The defendant and others acting at his direction also attended court proceedings for AHA-facilitated adult adoption proceedings and instructed victims how to respond to potential questions from the judge or others about the purpose of the adoption or other matters. After judicial proceedings in an AHA-facilitated adult adoption were completed, the court delivered by mail a copy of a final adoption order to the adoptive parent named in the petition. Thereafter, the adoptive parent usually mailed a copy of the final adoption order to the victim, who provided a copy to AHA as instructed.

25. After a victim successfully completed the adult-adoption stage of AHA's fraudulent Migration Program, defendant HELAMAN HANSEN and others acting at his direction required the victim to complete a list of additional tasks, including obtaining several official and unofficial documents supporting the victim's "new identity profile." Those documents included, among others, an adoption order, a delayed registration of birth certificate, an individual tax identification number ("I-TIN"), a driver's license, a vehicle registration, a library card, a bank account number, proof of health and life insurance, identification cards from employers or educational institutions, and membership cards to civic organizations, big-box retail stores, and other clubs.

26. Among the key documents required to advance through AHA's fraudulent Migration Program were a delayed registration of birth certificate and an I-TIN, which the rules of AHA's fraudulent Migration Program required victims to request and which were delivered to victims by mail from the California Department of Public Health and the Internal Revenue Service ("IRS"), respectively. In some instances, the IRS rejected a victim's application for an I-TIN and, instead, delivered by mail to that victim a temporary I-TIN.

27. Defendant HELAMAN HANSEN and others acting at his direction relied on the appearance of legitimacy to successfully operate their fraud scheme and lull their victims into suppressing doubts about AHA's fraudulent Migration Program and rejecting advice from skeptical friends or family. Defendant HELAMAN HANSEN and others acting at his direction also relied on the requirements imposed on victims of AHA's fraudulent Migration Program to extend the period of

time necessary for victims to complete AHA's fraudulent Migration Program, which resulted in payments of additional membership fees from victims who could not complete the program within one year and assisted AHA in delaying detection of the fraudulent scheme.

28. Defendant HELAMAN HANSEN and others acting at his direction also urged victims of AHA's fraudulent Migration Program to "invest" in AHA, and offered victims the opportunity to purchase up to 10,000 "shares" of AHA "stock" for \$1 per share. The defendant and others acting at his direction promised victims of AHA's fraudulent Migration Program, who became adoptees, that AHA would convert a portion of the victims' membership fees into AHA shares at a price of \$.20 per share. The defendant and others acting at his direction promised victims who bought AHA stock that the purported investment would mature and yield dividends after three years of payments.

29. After a victim remitted payment to defendant HELAMAN HANSEN, completed the adult-adoption stage of AHA's fraudulent Migration Program, and obtained at least the key required official and unofficial documents, defendant HELAMAN HANSEN, in a small number of instances, caused to be prepared and submitted to USCIS a Form I-130 Petition for Alien Relative to adjust the victim's immigration status.

30. In or about June 2012, defendant HELAMAN-HANSEN caused a Form I-130 petition to be submitted to USCIS for Victim 1. USCIS denied that Form I-130 petition in or about October 2012 for failure to comply with procedural requirements and because the proposed adoptive parent was deceased. In denying the Form I-130 petition filed on behalf of Victim 1, USCIS

also attached a document that explained that an adult adoption could not result in citizenship because the Form I-130 Petition for Alien Relative process was limited to alien children adopted before their sixteenth birthdays.

31. Although defendant HELAMAN HANSEN had been informed by USCIS as early as October 2012 that alien children adopted after their sixteenth birthdays could not obtain citizenship through the Form I-130 Petition for Alien Relative process, defendant and others acting at his direction omitted that information from their communications with victims. Instead, they continued to advertise AHA's fraudulent Migration Program, solicited victims with false promises that the program would result in United States citizenship, and accepted payment from victims who relied on those false promises. Moreover, although defendant HELAMAN HANSEN knew that AHA's fraudulent Migration Program had never resulted in United States citizenship for any victim of his scheme, and could not result in United States citizenship for them, he falsely told victims the opposite to induce them to participate in AHA's fraudulent Migration Program.

32. Defendant HELAMAN HANSEN and others acting at his direction falsely assured victims who were skeptical of the legitimacy of AHA's fraudulent Migration Program that many past members had become United States citizens as a result of participating in the program. However, when skeptical victims or others asked for proof, the defendant and others acting at his direction told those skeptical victims that privacy laws prevented AHA from disclosing the identities of successful participants in the program. In truth and in fact, defendant HELAMAN HANSEN knew that no

past member of AHA's fraudulent Migration Program had become a United States citizen through participation in the program.

33. During "training" sessions with recruiting agents hired by AHA and its subsidiaries, defendant HELAMAN HANSEN and others acting at his direction instructed those recruiting agents to tell potential victims that others had become United States citizens by participating in AHA's fraudulent Migration Program, but that privacy laws prevented disclosure of their identities.

34. Defendant HELAMAN HANSEN and others acting at his direction advertised the AHA's fraudulent Migration Program widely. In addition to word-of-mouth and print advertisement, presentations to church congregations, and official websites for AHA and its subsidiaries, defendant HELAMAN HANSEN also caused to be uploaded to publicly accessible websites on the Internet, including YouTube, the video-upload website, dozens of videos of varying lengths marketing AHA's fraudulent Migration Program to potential victims. The defendant and others acting at his direction also advertised AHA's fraudulent Migration Program through social media websites like Facebook, on pages associated with AHA and the individual identities of the defendant and certain others acting at his direction.

35. Videos uploaded to the several YouTube channels controlled by defendant HELAMAN HANSEN included a series uploaded in or about June 2015 and titled: "US Citizenship Through Adult Adoption [parts 1 through 4]." In those videos, the defendant discussed AHA's fraudulent Migration Program. In the fourth video in that series, the defendant stated that the

“law” permitting AHA’s fraudulent Migration Program is not an American law. Rather, the defendant falsely stated that AHA’s fraudulent Migration Program is permitted under a United Nations law that provides that a person adopted in a court of a particular country receives the same citizenship rights as if that person was born in that country. The defendant also falsely stated that through AHA’s fraudulent Migration Program, AHA customers “inherit the citizenship rights” of the adopting parents. The defendant stated that the program can take up to two years because of government delay, but that AHA works to accomplish its efforts within twelve months.

36. In addition to serving as advertisement for AHA’s fraudulent Migration Program, defendant HELAMAN HANSEN’s false statements in videos advertising AHA’s fraudulent Migration Program were intended to lull potential victims into suppressing their doubts about the legitimacy of AHA’s fraudulent Migration Program and to lull them to reject the advice of skeptical friends or family. Those false statements were also intended to lull existing but skeptical or disappointed AHA customers into refraining from reporting their suspicions about AHA’s fraudulent Migration Program to law enforcement authorities.

37. To conceal their scheme and avoid detection by the victims and others, Defendant HELAMAN HANSEN and others acting at his direction were evasive about the technical details and purported legal foundation of AHA’s fraudulent Migration Program. Defendant HELAMAN HANSEN often told those skeptical of the legitimacy of AHA’s fraudulent Migration Program that he had met with a retired United States Supreme Court Justice who had written a law permitting AHA’s

fraudulent Migration Program and who taught the defendant how to implement that law. In other instances, the defendant told skeptics that AHA's fraudulent Migration Program was authorized under a United Nations law that superseded United States law.

38. It was further part of the scheme that defendant HELAMAN HANSEN made efforts to discourage victims and witnesses from assisting law enforcement agents in the investigation of AHA's fraudulent Migration Program.

39. Between in or about October 2012 and September 2016, defendant HELAMAN HANSEN and others acting at his direction induced approximately 500 victims to join AHA's fraudulent Migration Program. As a result, victims of AHA's fraudulent Migration Program paid approximately \$1,000,000 to the defendant and others acting at his direction to obtain legal United States citizenship through a process that defendant HELAMAN HANSEN knew could not result in legal United States citizenship.

IV. MAILINGS

40. On or about the dates set forth below, in the Eastern District of California and elsewhere, for the purpose of executing the aforementioned scheme and artifice to defraud, and attempting to do so, defendant HELAMAN HANSEN knowingly caused to be delivered by the United States Postal Service and by any private or commercial interstate carrier, according to the direction thereon, the items more specifically set forth below:

Count	Approximate Date	From	To	Mail Item
1	July 7, 2014	CA Department of Public Health	Adoptive Parent of Victim 2	Delayed Registration of Birth Certificate
2	July 10, 2014	CA Department of Public Health	Adoptive Parent of Victim 3	Delayed Registration of Birth Certificate
3	September 2, 2014	CA Department of Public Health	Adoptive Parent of Victim 4	Delayed Registration of Birth Certificate
4	September 3, 2014	Victim 5	Native Hawaiians Pacific Islanders	Migration Program Membership Application
5	December 19, 2014	CA Department of Public Health	Adoptive Parent of Victim 6	Delayed Registration of Birth Certificate
6	April 22, 2015	AHA	Victim 7	Delayed Registration of Birth Certificate

7	May 19, 2015	IRS	Victim 8	I-TIN
8	June 22, 2015	IRS	Victim 2	I-TIN
9	July 7, 2015	CA Depart- ment of Public Health	Adoptive Parent of Victim 9	Delayed Regis- tration of Birth Certificate
10	July 10, 2015	IRS	Victim 10	I-TIN
11	July 21, 2015	IRS	Victim 11	I-TIN
12	December 3, 2015	IRS	Victim 12	I-TIN
13	August 4, 2016	CA Depart- ment of Public Health	Victim 13	Delayed Regis- tration of Birth Certificate

In violation of Title 18, United States Code, Sections 2 and 1341.

COUNTS FOURTEEN THROUGH SIXTEEN:
[18 U.S.C. § 1343—Wire Fraud]

The Grand Jury further charges:

HELAMAN HANSEN,

defendant herein, as follows:

I. THE SCHEME TO DEFRAUD

1. Beginning in or about October 2012, and continuing through September 2, 2016, in the State and Eastern District of California and elsewhere, defendant HELAMAN HANSEN knowingly devised, intended to devise, and participated in a material scheme and artifice to defraud and to obtain money by means of materially false and fraudulent pretenses, representations, promises, and the concealment of material facts.

2. The purpose of the scheme and artifice was to obtain payment from the marketing, sale, and maintenance of “memberships” to victims of his fraudulent “Migration Program,” an elaborate adult-adoption program that was based on the false promise that adult illegal aliens residing in the United States could achieve United States citizenship after being legally adopted by an American citizen and completing a list of additional tasks.

II. MANNER AND MEANS

3. The allegations in Paragraphs 1 through 11 and Paragraphs 14 through 39 of Counts One through Thirteen are re-alleged and incorporated herein by reference as if set forth in their entirety.

III. USE OF INTERSTATE WIRES

4. On or about the dates set forth below, in Eastern District of California and elsewhere, for the purpose of executing the aforementioned scheme and artifice to defraud, and attempting to do so, defendant HELAMAN HANSEN did knowingly transmit and cause to be transmitted by means of wire communication in interstate and foreign commerce, certain writings, signs, signals and sounds, specifically:

Count	Date	Description of Wire
14	June 3, 2013	Electronic transfer, via Fedwire, of approximately \$1,100 from a Bank of America account, on behalf of Victim 14, to a Chase Bank account controlled by Americans Helping America.
15	September 3, 2014	Email from Victim 5 delivering proof of payment for membership in Migration Program, sent from Bremerton, WA, to Native Hawaiians Pacific Islanders, in Sacramento, CA.
16	June 4, 2015	Electronic transfer, via Fedwire, of approximately \$3,500 from a Bank of America account, on behalf of Victim 15, to a Chase Bank account controlled by Americans Helping America.

In violation of Title 18, United States Code, Sections 2 and 1343.

COUNT SEVENTEEN: [8 U.S.C. § 1324(a)(1)(A)(iv) & (B)(i)—Encouraging and Inducing Illegal Immigration for Private Financial Gain]

The Grand Jury further charges:

HELAMAN HANSEN,

defendant herein, between on or about January 19, 2014, and July 18, 2014, in the State and Eastern District of California, for the purpose of private financial gain, did encourage and induce an alien, to wit Victim 3, to reside in the United States after that alien's lawful visa expired, knowing and in reckless disregard of the fact that such residence in the United States was and would be a violation of law, in violation of Title 8, United States Code, Sections 2 and 1324(a)(1)(A)(iv) & (B)(i).

COUNT EIGHTEEN: [8 U.S.C. § 1324(a)(1)(A)(iv) & (B)(i)—Encouraging and Inducing Illegal Immigration for Private Financial Gain]

The Grand Jury further charges:

HELAMAN HANSEN,

defendant herein, between on or about August 10, 2014, and February 9, 2015, in the State and Eastern District of California, for the purpose of private financial gain, did encourage and induce an alien, to wit Victim 6, to reside in the United States after that alien's lawful visa expired, knowing and in reckless disregard of the fact that such residence in the United States was and would be a violation of law, in violation of Title 8, United States Code, Sections 2 and 1324(a)(1)(A)(iv) & (B)(i).

FORFEITURE ALLEGATION: [18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c)—Criminal Forfeiture]

1. Upon conviction of one or more of the offenses alleged in Counts One through Sixteen of this Superseding Indictment, defendant HELAMAN HANSEN shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), all property, real and personal, which constitutes or is derived from proceeds traceable to such violations, including but not limited to a sum of money equal to the amount of proceeds traceable to such offenses, for which defendant is convicted.

2. If any property subject to forfeiture, as a result of the offenses alleged in Counts One through Sixteen of this Superseding Indictment, for which defendant is convicted:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without

difficulty; it is the intent of the United States, pursuant to 28 U.S.C. § 2461(c), incorporating 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant, up to the value of the property subject to forfeiture.

22

A TRUE BILL

FOREPERSON

/s/ PHILLIP A. TALBERT
PHILLIP A. TALBERT

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

Case No. 2:16-cr-00024

UNITED STATES OF AMERICA, PLAINTIFF

v.

HELAMAN HANSEN, DEFENDANT

Sacramento, California

Apr. 18, 2017

9:00 a.m.

**JURY TRIAL—DAY 2
BEFORE THE HONORABLE
MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE**

APPEARANCES

FOR THE GOVERNMENT:

UNITED STATES ATTORNEY
501 I Street, Suite 10-100
Sacramento, California 95814

By: ANDRE M. ESPINOSA
KATHERINE T. LYDON
Assistant U.S. Attorneys

FOR THE DEFENDANT:

FEDERAL DEFENDER
801 I Street, Third Floor
Sacramento, California 95814

By: TIMOTHY ZINDEL
SEAN RIORDAN
Assistant Federal Defenders

* * * * *

[191]

* * * * *

(Government witness, **GABRIELA DE JESUS HERNANDEZ GRANADOS**, sworn in.)

* * * * *

DIRECT EXAMINATION

BY MS. LYDON:

Q. Good afternoon, Miss Hernandez. Where are you from [192] originally?

A. Mexico.

Q. What town do you live in now?

A. Castro Valley, California.

Q. How long have you lived here in California?

A. Since 1995.

Q. What do you do for a living?

A. I have my own business.

Q. Tell us about your business?

A. I do catering. I make tacos for parties.

Q. As the judge observed, you are speaking through a Spanish interpreter. Do you also speak pretty good English?

A. That's right.

Q. But some situations like court, where it's important to use the precise words, are you more comfortable in Spanish or English?

A. That's right.

Q. Are you more comfortable in Spanish or English? One of those two choices.

A. Spanish, please.

Q. Did there come a time when you heard of a company called Americans Helping America or AHA?

A. That's right.

Q. How did you first hear about AHA?

A. Because the pastor of my church suggested to my husband that [193] he could adopt him in order to make him a citizen.

Q. What did you and your husband think about that?

A. Excellent.

Q. So what did you and your husband do after first hearing about AHA from your pastor?

A. Well, we went to the place.

Q. By the place, what do you mean?

A. Here in Sacramento.

Q. A place of business? Place of work? Where?

A. Yes. The Chamber of Commerce.

Q. When you say chamber of commerce, are you referring to the Americans Helping America Chamber of Commerce?

A. That's right.

Q. Did you and your husband go by yourself to AHA or were you with others?

A. We went with other people.

Q. You went with other people, you said?

A. Yes. The pastor of my church went with us.

Q. Did anybody else go with you?

A. Yes. Another brother and his wife.

Q. When you say brother, what do you mean?

A. Brother in Christ.

Q. Could you define for the jury, who might not be familiar with how your church refers to things, what you mean by a brother in Christ?

[194]

A. Because I belong to a Baptist Christian church, and the pastor of our church took us to this place.

Q. Okay. I was more referring specifically to the term brother in Christ. What does that mean?

A. Well, that we belong to the same church. We have the same faith.

Q. Okay. Thank you.

So when you and the group you were with got to AHA, who at AHA did you meet with?

A. With Mr. Jeffrey Sevier and his secretary.

Q. Do you remember his secretary's name?

A. Frankly, no.

Q. That's okay. Did you see Helaman Hansen the first time you went to AHA?

A. Yes. I did. That's right.

Q. Did you interact with him or just see him?

A. That day he just came by to greet us.

Q. During the meeting, did Jeffrey Sevier describe the AHA migration program?

A. That's right. He did.

Q. What did he say the process was?

A. That—well, he told us that within a year we would be citizens.

Q. What would you have to do during that year?

A. Well, first we had to make the payment. And then the [195] process, it was because we work with an ITIN number.

Q. What's an ITIN number?

A. It's your identification number for taxes.

Q. Okay.

A. And I had to make—we had to make the change in the number. We had to use our original name. And then we had to change it to the name of the person who was going to adopt us.

Q. When you say change, did you already have an ITIN before getting involved with AHA?

A. Identification. Yes.

Q. What did you use your ITIN for?

A. Well, because I have a business. Every year I have to report to IRS.

Q. Okay. In addition to changing the name on your ITIN to your adopted name, what did Jeffrey tell you you'd have to do?

A. Well, I had to change all of my business documents, and my Facebook page that was in the name of Gabriela Hernandez to Gabriela Sevier.

Q. Now, what was the end of the process going to be as Jeffrey portrayed it?

A. Well, after getting the ITIN, they were going to start the procedure.

Q. What was the procedure?

A. Well, they were going to send all the documents to immigration, and they would send us a Social Security number.

[196]

Q. Did Sevier promise or guaranty what the AHA program would do for you and your husband?

A. Oh, yes. He did.

Q. What did he promise?

A. Citizenship.

Q. So did you decide to sign up with AHA and be adopted?

A. That's right.

Q. When you went to AHA for the first time, did you have someone in mind to adopt you?

A. No. But in fact my husband was going to be adopted by Pastor Ramos. And he told me—Mr. Jeffrey Sevier told me that he could adopt me.

Q. If Jeffrey Sevier hadn't offered to adopt you, was there someone else who would have been able to?

A. Well, I have uncles who are citizens, but he told me it wasn't necessary.

* * * * *

[197]

* * * * *

Q. Now you mentioned the payment. How much money did you pay to be adopted and become a U.S. citizen?

A. \$4,500 for myself. \$4,500 for my husband.

MS. LYDON: The Government moves to admit Exhibit 603, which the defense has stipulated is admissible.

[198]

THE COURT: Any objection, defense?

MR. ZINDEL: No.

THE COURT: Admitted.

(Government Exhibit 603 admitted into evidence.)

Q. BY MS. LYDON: Please publish.

Do you recognize this document?

A. Yes.

Q. What is it?

A. It's the check we paid.

Q. Do you recognize the signature at the bottom?

A. Yes.

Q. Whose signature is that?

A. It's mine.

Q. Could you go to page 2, please. Do you recognize this check?

A. That's right. Yes.

Q. What's it for?

A. It's the payment from my husband.

Q. Is that your husband's signature at the bottom?

A. That's right.

Q. At what meeting did you give AHA these checks?

A. The first meeting.

Q. So what was the date of the first meeting?

A. 11-4-2014.

Q. So in total you and your husband wrote checks for \$9,000 to [199] AHA?

A. That's right.

Q. Where did you get the money?

MR. ZINDEL: Objection, relevance, Your Honor.

THE COURT: Overruled.

MR. ZINDEL: Objection, 402 and 403, Your Honor.

THE COURT: Overruled.

THE WITNESS: That's the money that we had in order to buy a house in Mexico.

* * * * *

[202]

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Q. Could you turn in the binder in front of you to tab 604. Do you recognize that document?

A. Yes.

Q. What is it?

A. The adoption in Alameda court.

MS. LYDON: Move to admit Government Exhibit 604, a certified copy of Miss Hernandez's adoption order.

MR. ZINDEL: No objection.

THE COURT: Admitted.

(Government Exhibit 604 admitted into evidence.)

Q. BY MS. LYDON: Please publish. What's the date on this document?

A. January 30, 2015.

Q. Is that the date that you were adopted?

A. Yes, ma'am.

Q. Can we zero in on the bottom of the page beginning "the court finds and orders that."

This page indicates that the court is ordering the [203] petitioners now have the legal relationship of parent and child subject to all the rights and duties of that relationship and that the name of the adopted shall be Gabriela Gonzalez Sevier.

Is your name legally now Gabriela Gonzalez Sevier?

A. That's right.

Q. Do you like that or dislike that?

A. No.

Q. Was it just you or multiple people adopted that you know through AHA on January 30, 2015?

A. Including me there were four of us.

Q. Who was being adopted and who was adopting them on January 30th?

A. Mr. Sevier, for me. Pastor Ramos adopted my husband. And also my brother in Christ, Brother Dias, and Sister Laura Dias, who is the wife of Mr. Dias, she was adopted by Mr. Hansen's wife, Viola—or Viola.

* * * * *

[205]

* * * * *

Q. Okay. During your adoption, did you think that AHA's process would really result in citizenship for you?

A. Yes.

Q. What are the facts that made you confident?

A. Well, everything looked good. We appeared before a judge. I got the adoption certificate. I changed my ID. And everything looked good.

* * * * *

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

Case No. 2:16-cr-00024

UNITED STATES OF AMERICA, PLAINTIFF

v.

HELAMAN HANSEN, DEFENDANT

Sacramento, California

Apr. 19, 2017

9:00 a.m.

**JURY TRIAL—DAY 3
BEFORE THE HONORABLE
MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE**

APPEARANCES

FOR THE GOVERNMENT:

UNITED STATES ATTORNEY
501 I Street, Suite 10-100
Sacramento, California 95814

By: ANDRE M. ESPINOSA
KATHERINE T. LYDON
Assistant U.S. Attorneys

FOR THE DEFENDANT:

FEDERAL DEFENDER
801 I Street, Third Floor
Sacramento, California 95814

By: TIMOTHY ZINDEL
SEAN RIORDAN
Assistant Federal Defenders

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[296]

* * * * *

(Government witness, **MARIA DE LA TORRE**, sworn in.)

* * * * *

DIRECT EXAMINATION

BY MS. LYDON:

Q. Good morning, Miss De La Torre.

[297]

A. Good morning.

Q. Where are you from originally?

A. I'm from Mexico.

Q. Where do you live now?

A. In Castro Valley, California.

Q. How long have you lived in Castro Valley?

A. Nearly four years.

Q. Do you have family living in California?

A. Yes. I have my husband and my children.
They're with me.

Q. Did you and your family eventually get involved
with a company called Americans Helping America?

A. Yes.

Q. How did you hear about Americans Helping America?

A. The pastor of the church -- the church that we attend. He told my husband.

Q. What did your pastor tell your husband about AHA?

A. He told him that there was a place where they could help him with legal status.

Q. And how did the idea that you could get your legal status through this place sound to you?

A. The pastor told us that he had already seen an adoption certificate.

Q. How did that impact your evaluation of whether or not it would be a good idea to get involved with this program?

A. Well, what he was told and then what he told us was that we [298] could acquire citizenship through adoption.

Q. So what did you decide to do after hearing about that from your pastor?

A. We told him that he should make a contact for us with them, Americans Helping America.

Q. And did your pastor do that?

A. Yes.

Q. Did you and your husband eventually have a meeting at the office of Americans Helping America?

A. Yes.

Q. Do you remember approximately when your first meeting at the office was?

A. January 2015.

Q. Who attended that first meeting?

A. Well, the pastor and his wife came with us. My husband and I and Jeffrey was there.

Q. By Jeffrey, are you referring to a man named Jeffrey Sevier?

A. Jeffrey Sevier.

Q. What did Jeffrey tell you at that meeting about what AHA could do for you and your family?

A. He told us that through adoption my husband could acquire citizenship, and that it would take between one and two years. And then he also told us—he talked about several things. I don't recall everything. And he told us that Mr. Hansen knew about the law.

[299]

Q. Okay.

A. And that they had already done this.

Q. By "they had already done this," did he tell you that there were others that had gone through the AHA program and attained citizenship?

A. Yes.

Q. Did he say anything about whether those people had Social Security numbers?

A. He mentioned one person.

Q. Who did he mention?

A. I think it was the husband of Juanita, the secretary.

Q. Did he say anything about a lady named Viola Hansen?

MR. RIORDAN: Objection. Leading.

THE COURT: Sustained.

Q. BY MS. LYDON: Do you recall whether any individuals other than Juanita's husband came up at the meeting?

A. They mentioned Mrs. Viola Hansen.

Q. What did they say about Mrs. Hansen?

A. That she had acquired citizenship through this program.

Q. And I used the term "they," which was imprecise. Was it Jeffrey Sevier who mentioned that Viola Hansen had attained citizenship through the AHA program?

A. Yes.

Q. Was AHA's program free, or did it cost money?

A. It cost money.

[300]

Q. What did you and your husband decide to do with regard to the program?

A. Well, we decided that he would do it.

Q. Did your husband pay AHA money to participate in the program?

A. Yes.

Q. How much?

A. \$4,500.

Q. Where did he get the money?

A. We had some savings.

Q. What does your husband do for a living?

A. He has worked as a house painter for 21 years.

Q. Did your husband pay AHA in cash, check, or some other way?

A. Cash.

Q. When did he pay AHA, the day of that first meeting or some other time?

A. It was at the first meeting. I don't remember the exact date. It was in January.

Q. Okay. January of 2015, right?

A. Yes.

Q. Did your husband get adopted through AHA?

A. Yes. He got an appointment. He went to court.

Q. Did you go with him?

A. Yes.

Q. Who adopted your husband?

[301]

A. The pastor of the church, Mr. Ramos.

* * * * *

[302]

* * * * *

Q. Did your husband receive a birth certificate in connection with his participation in AHA?

A. Yes.

Q. And what impact did his receiving a birth certificate have on your evaluation—or your confidence in the program?

A. Well, we were very pleased. Because it was a court [303] document.

* * * * *

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

Case No. 2:16-cr-00024

UNITED STATES OF AMERICA, PLAINTIFF

v.

HELAMAN HANSEN, DEFENDANT

Sacramento, California

Apr. 25, 2017

9:00 a.m.

**JURY TRIAL—DAY 5
BEFORE THE HONORABLE
MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE**

APPEARANCES

FOR THE GOVERNMENT:

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501 I Street, Suite 10-100
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By: ANDRE M. ESPINOSA
KATHERINE T. LYDON
Assistant U.S. Attorneys

FOR THE DEFENDANT:

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801 I Street, Third Floor
Sacramento, California 95814

By: TIMOTHY ZINDEL
SEAN RIORDAN
Assistant Federal Defenders

* * * * *

[664]

* * * * *

(Government witness, **MARAIA ENDO**, sworn in.)

* * * * *

DIRECT EXAMINATION

BY MR. ESPINOSA:

Q. Good morning. You just stated your name as Maraia Endo. Is that your birth name?

A. No, sir.

Q. How is it that you came to use the name Maraia Endo?

A. I was being adopted by Barbara Endo.

Q. And so Endo is now your legal name, is that correct?

A. Correct.

Q. Do you prefer to be—do you use Endo, or do you use Ravula?

A. I use Ravula.

Q. Miss Ravula, are you a citizen of the United States?

A. No.

[665]

Q. Where are you from originally?

A. I'm from Fiji.

Q. Where do you live now?

A. I live here in Sacramento.

Q. How long have you been in the United States?

A. This is my eleventh year.

Q. So you arrived in 2006?

A. Yes.

* * * * *

Q. Are you familiar with a company called Americans Helping America?

A. Yes, I do. Yes.

Q. How did you come into contact with that company?

A. Through a friend. She call me, and she mention about them.

Q. What did she tell you about them?

[666]

A. She told me about the adoption program and all the things about the program.

Q. What did she say the adoption program did?

A. That an American citizen can adopt me, and I can be a citizen.

Q. How did what sound to you?

A. Sounds good.

Q. Did you do anything to learn more about AHA?

A. Can you repeat the question?

Q. Yes. Did you try to find out more information about AHA?

A. Yes. I called a few other friends, and they told me about it, too. That's how I manage to know more.

Q. All right. Did you contact AHA?

A. Yes, I did.

Q. And what happened after that?

A. I called Mr. Helaman, and I went to his office.

Q. Let me stop you. You said Mr. Helaman. Do you know his last name?

A. Helaman Hansen.

Q. And so you also just testified that you went to his office to meet with him, is that correct?

A. Correct.

Q. What did he tell you?

A. He told me about the adoption program, and he mentioned that after a year I can get my citizen.

[667]

Q. All right. Did he tell you how the—how the program worked, how you would become a citizen?

A. Yes. He told me everything. He gave—he mentioned some things that I have to do, and we have to follow, and then we'll go to the courthouse in Oakland to see the judge there.

Q. Okay. What did he say would happen after the adoption, after you were finished in court?

A. Can you repeat your question?

Q. Yes. Did he tell you anything about what would happen after you finished with the court proceeding? Were you a citizen then, or did you become a citizen later?

A. As soon as I come out from the judge office in Oakland, I'm automatically a citizen.

Q. Helaman Hansen told you that?

A. Yes, he did.

Q. Did he tell you you also had to do other steps as well?

A. Yes.

Q. And how many steps? Did he give you a number or did he—

A. Fourteen. Fourteen steps.

Q. What were those other 14 steps?

A. First, we have to change our names. We have to change our bank. We have to go to the bank and change our names. And we have to join a church group. And then we have to—we have to do community work. And we have to have—we have to do our tax ID number, a new tax ID number. And we have to go and change [668] our name for our California ID.

Q. Okay. After learning those things, after learning the benefits of participating in the program and what you were required to do, were you persuaded to join the program?

A. Yes.

Q. Now did you at any point ever watch any videos of Helaman Hansen?

A. Yes, I did.

Q. What did you see in the videos that you watched?

A. He was talking about his program.

Q. Was he saying things similar to what he had said to you?

A. Yes.

Q. All right.

A. Yes.

Q. Now how about cost. Was the program free, or did you have to pay?

A. I have to pay.

Q. How much did you have to pay?

A. \$4,500.

Q. Did you agree to pay that amount?

A. Yes. I paid that amount.

Q. Did you pay—or how did you pay?

A. Barbara Endo paid.

Q. Now Barbara Endo is the person who adopted you, I think you testified?

[669]

A. Yes.

Q. Do you know how she paid?

A. She paid by check.

* * * * *

[672]

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Q. BY MR. ESPINOSA: Okay. Miss Ravula, Miss Endo paid for [673] your adoption. Are you paying her back?

A. Yes.

Q. Are you still doing that?

A. Yes.

* * * * *

[675]

* * * * *

Q. So were you eventually adopted?

A. Yes.

Q. Yes, you were. You've said that.

A. Yes.

Q. And you testified that Barbara Endo adopted you. Where did your adoption take place?

A. In Oakland.

Q. Were any AHA or NHPI employees present at your adoption?

A. Yes.

Q. Who was present?

A. Mr. Helaman, the wife, Viola, and there was another gentleman there.

Q. Okay. Were there other AHA or NHPI customers who were adopted on the same day you were?

A. Yes. A few of us.

Q. Approximately how many, do you recall?

A. Yes. Nine, ten of us.

Q. Nine or ten?

A. Yeah.

Q. Adoptees?

A. Yes. Yes.

[676]

Q. During the adoption proceeding, did the judge ask you any questions?

A. No. He did not.

Q. And afterwards, did anything that you recall happen?

A. After the—

Q. After the adoption hearing, did you take pictures?

A. Oh, yes, I took a picture of the judge and me, Barbara, and Viola, Hansen's wife.

Q. And after the adoption was over, how did you feel?

A. I feel happy because I was being promised that after that I'm automatically a citizen.

Q. So because of those promises and because you thought—did you think you were a citizen at that moment?

A. Yes.

Q. All right. Let's look at tab 304. Do you recognize that document?

A. Yes.

Q. What is that?

A. Sorry?

Q. What is that document?

A. It's the adoption papers.

* * * * *

[697]

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(Government witness, **VASITI NAILATI MORRILL**,
sworn in.)

* * * * *

DIRECT EXAMINATION

BY MR. ESPINOSA:

Q. Good morning, Miss Morrill. Is Morrill your birth name?

A. No, sir.

Q. And what is your birth name?

A. Nailati.

[698]

Q. Is that the name that you use in your regular interactions during the day?

A. I do.

Q. How did you come to have the last name Morrill?

A. That was my adopted name.

Q. Do you prefer to be called Miss Nailati?

A. Yes, sir.

Q. That's how I'll address you.

Good morning, Miss Nailati. Are you a citizen of the United States?

A. No, I'm not.

Q. Where are you from originally?

A. Fiji.

Q. Are you a citizen of Fiji?

A. Yes.

Q. How long have you lived in the United States?

A. This will be my twelfth year.

* * * * *

[699]

Q. Are you familiar with a company called AHA?

A. Yes.

Q. And let me ask you, AHA is an acronym. Do you know the full name of the company?

A. Americans Helping America.

Q. How about a company called Native Hawaiians and Pacific Islanders, are you familiar with that company?

A. Yes, sir.

Q. How did you learn about those two companies? I'm going to call them AHA and NHPI.

A. I first learned of NHPI through a friend who told us about what NHPI could do. Specifically adoption. And I later learned of AHA when I was involved in NHPI.

Q. What did your friend tell you about the adoption that NHPI was offering?

A. He said that it was a path to gaining citizenship.

Q. Is that something that you were interested in?

A. Yes.

Q. All right. Did you do anything to learn more information about NHPI's program?

A. Yes. I called the number that my friend gave, and I was set up with an appointment because—yeah.

Q. All right. When you called that number, were you looking for a specific person or did you just want general information?

A. I was looking for a specific person.

[700]

Q. Who were you looking for?

A. Mr. Helaman. Dr. Helaman Hansen.

Q. Helaman Hansen. How had you heard of Helaman Hansen?

A. From my friend.

Q. Your friend told you about him?

A. Yes.

Q. Do you remember your friend's name?

A. Josaia Bulivou Virga.

Q. Did he tell you how he knew Hansen?

A. I think it was his sister that was involved in his gym. He has a gym, Pasifika gym that he runs. And that's how he found out about it.

Q. So when you reached out to AHA looking for Mr. Hansen, what happened, what did you find?

A. When I first called, he was in Hawaii. And I was told that he was doing some adoption cases in Hawaii at the pending time. And then I was set up with an appointment to come in and see him personally.

Q. Did you go in and meet with him?

A. Yes, I did.

Q. Do you recall when that visit happened, approximately?

A. I think it was in 2014—no, 2013. Around about October.

* * * * *

[701]

* * * * *

Q. Okay. So when you went in to meet with Helaman Hansen, did he tell you about the program?

A. Yes.

Q. What did he tell you?

A. That there was so many papers, so many documents. And he said that it was a possibility to—but it's a process that we would get involved in. First to try and find somebody who would be able to adopt me, and

there was specifications as to what kind of a person or who I can look for to adopt me.

Q. So he told you about how the program worked, is that right?

A. Yes.

Q. And what you would need to do while you were participating?

A. Yes.

Q. What did he tell you was the end result of the program?

[702]

A. That eventually, through the process, that we would gain citizenship.

Q. Okay. Did he tell you how long it took to become a citizen through the program?

A. Initially, I think he said six months.

Q. Okay. And did he tell you whether the program had worked for any other people?

A. Yes.

Q. What did he say about that?

A. He said that it was a confidential matter that he cannot release the names of the people who have already gone through the process. But I insisted, and he told me that his wife was one of the beneficiaries.

Q. Did he show you any documents as evidence of that?

A. Yes.

Q. What did he show you?

A. A driver's license, the adoption papers.

Q. Now how did those documents and what Mr. Hansen had said to you about the program, how did that affect your decision whether to join the program or not?

A. I jumped at it.

Q. You jumped at it. He was persuasive?

A. Yes.

Q. Now were you the only one at this meeting with Hansen that day or were friends with you?

[703]

A. There was a friend of mine. We talk about it, and we met at the office.

Q. Did you decide to join the program?

A. Yes. At the time, I didn't think that it was possible for me because of the 12 years age difference. So I decided I was going to take it for my son, who was visiting me at that point in time, and that's what I did.

Q. Did you go home and tell your son about the program?

A. Yes, I did.

Q. He was interested?

A. He was interested.

Q. He decided to join?

A. He decided to join.

Q. Did you tell him all the things that Mr. Hansen told you?

A. I did.

Q. Now was this program a free program that he was offering or did you have to pay?

A. We had to pay. We had to pay a certain amount of money. For my son, I paid \$2,000. Because that was the cost of people working in the office. At least that's what I was told. For paperwork, and the lodgement at the courthouse, and things, like, that.

Q. Now the \$2,000 that you paid, did you pay by cash or check or some other way?

A. Paid by cash.

[704]

Q. Who did you pay?

A. Pay to Mrs. Hansen.

Q. Mrs. Hansen. In your mind, when you handed over that \$2,000 to Mrs. Hansen, what did you think you were buying?

A. I was buying the work that would enable my son to eventually get his citizenship. I thought and I felt that that was just the beginning. And eventually we might probably be paying some more. But that wasn't this cost. But that was why we pay the \$2,000. For paperwork.

Q. For your son and yourself, you were also a participant, isn't that right?

A. Not at that point in time.

Q. You actually joined later?

A. Joined later. When I found somebody who was 12 years older than me.

Q. Who did you find that was 12 years older than you?

A. Senimili Morrill.

Q. How did you know her?

A. Through our Fijian community network.

Q. Was she an acquaintance or someone you knew well?

A. She was a relative of mine. She is a relative of mine.

Q. Is she a close relative or more distant?

A. More distant. She's related to me through my mom.

Q. And she solved the age question that you were worried about?

A. Yes.

[705]

Q. That's fine. I think that's funny. Did any of your other family members join the program?

A. Yes.

Q. Who else in your family joined?

A. There was Kini.

Q. Kini is—

A. She goes by Kini Morrill. She's my cousin. An aunt of mine, Mae Nau, and few friends.

Q. So a few friends, the two—Kini and the aunt, and your son also, is that right?

A. Yes.

Q. And then anyone else? Do you have a nephew?

A. Yes, a nephew. Sorry. I was thinking of the Morrill side.

Q. What's your nephew's name?

A. My nephew's name was Mana Nailati.

Q. Was Mana living in the U.S. at the time?

A. No.

Q. Where was he?

A. He was in Rwanda with his mom.

Q. Did you talk to him about the program?

A. Yes.

Q. Did he eventually travel to the United States?

A. Yes.

Q. Did he come for the program?

A. Yes.

[706]

Q. Do you know how much Mana paid to participate in the program?

A. 4,500.

THE COURT: I'm sorry. I couldn't hear you.

MR. RIORDAN: Hearsay objection, Your Honor.

THE COURT: Overruled.

Q. BY MR. ESPINOSA: How do you know how much Mana paid?

A. Because I made the payment.

Q. Do you know why the price of the program doubled—more than doubled between the 2,000 you paid for Penijamini, your son, and the 4,500 that Mana paid?

A. I believe it was just a lot of work. A lot of people got involved in the program. And when I paid for Penijamini's big fee, they were in a different office. And there were just like two or three people that were there.

But when it came to my turn, as well as Mana, who came in later, the office had expanded, and a lot more people were involved. And that's the reason why we were told that the fee had more than doubled.

Q. Who told you that?

A. Mrs. Hansen, Mr. Hansen. Because it was not only for me that I was—that I was arranging and trying to make the program understood by the others. It was through the grapevine that people says the fee has gone up. And I didn't understand why. So I went and asked about it, and then that was the reply. [707] That a lot more paperwork was involved, and a lot more people had to be recruited to be employed in the office so that the work can be efficiently done and sped up.

* * * * *

[729]

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Q. During those FAI meetings, did Mr. Hansen offer you any opportunity to purchase any other products?

A. Yes.

Q. What kinds of products did he offer you the opportunity to purchase?

[730]

A. There was insurance. That's where CIBO came in. The person that was in charge of CIBO was—just forgotten his name—he came in to try and sell products of insurance. House insurance. Car insurance.

And that was part—one part of the program that we needed to get ourselves all involved in to work as a group through the adoption. So have everything done as a group.

Q. And did Mr. Hansen tell you that was part of the program, the purchase of insurance?

A. Well, it was—we were given a piece of paper that had a list of various things that we needed to do as a group.

One of it was that. Insurance. Car or rental insurance or house insurance. And, yes, in came—I've forgotten his name—sorry—the man that was in charge of CIBO.

Q. Did Mr. Hansen offer you the opportunity to purchase any other things? How about stock?

A. Oh, yes.

Q. What was the stock for? Was it stock in AHA, or NHPI, or—

A. I think it was AHA, and—yeah, more AHA, yeah.

Q. Did you accept the offer to purchase stock?

A. Yes, I did.

Q. How much did you purchase?

A. I believe it was 10,000.

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[731]

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Q. BY MR. ESPINOSA: Miss Nailati, before we took a break for lunch, you were testifying about your purchase of stocks in AHA. Do you remember that?

A. Yes.

Q. I think you testified that you purchased 10,000. Did you mean 10,000 shares or \$10,000?

A. 10,000 shares.

Q. How much did you pay for the shares that you purchased?

A. I think it was—I think I paid \$2,500.

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[734]

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Q. So you testified earlier that you thought you paid 2,000—did you say 2,500?

A. 2,500.

Q. And you think this check is an installment on that amount?

A. I believe so.

Q. I want to ask for clarity. You're not certain if you made an additional payment?

A. I'm not certain.

Q. So it could be that you just paid \$1,000?

A. Could be.

Q. But at least you recall or have a feeling that you paid more?

A. I know I paid more, but I'm not certain whether they were all for the shares. If this is equivalent to 5,000 shares, then that's the first purchase I made.

If it were—I think it was selling at 20 cents a share at that time. And so amounts would be it. But then I had made other payments. That's probably why I'm not thinking straight.

Q. Okay. So did Mr. Hansen promise you any specific return or rate of return on the purchase of these shares?

A. Yes, he did.

Q. What did he promise?

A. The promise was way down the line. That this is something that's going to help towards to show financial security when the [735] process of lodging my paper would come into effect.

So the purchase of these shares was specifically for that. The returns would come much later when everything at AHA and NHPI was up and running. The returns would come back then. I'm not sure what the value was now.

Q. The explanation you just gave, is that what Mr. Hansen told you?

A. Yes.

Q. Now over time, over the year or so, or even longer, since you initially joined the program, did you ask

Helaman Hansen about your progress toward citizenship?

A. Yes.

Q. How often would you ask him about your progress?

A. During meetings. In between. Whenever I would go to the office, which was almost on Fridays. I would come and try and seek an audience.

Sometimes I get to talk to Mr. Hansen. Sometimes he's busy with other people. So whenever I did, I asked him.

Q. And when you asked him, when you were able to speak with him and you raised your concerns, how did he respond, what did he say about your progress?

A. I think that whenever I brought it up, more and more the response was anger. That he would respond to me in a group. There were a few other people there that would be sitting with him in the office. That he's saying that we want things to work [736] for us, then we should have patience. Because these things take time.

And that's what I would tell the remaining—the rest of the group. Because the questions that I would take up to Mr. Hansen during these meetings are the questions that all the other Fijian members would be asking. I was like the mouthpiece to ask Mr. Hansen.

Q. I see. So did there come a time when you became concerned that maybe Mr. Hansen couldn't keep his promises?

A. Yes. I think there came a time when everything was changing. Other programs were introduced. And we saw less and less of him because there were

other people he appointed that would be responsible for questions that we wanted to ask.

Q. And if you addressed those questions to those people, did you get answers?

A. I felt like I knew more of the whole program than the person appointed. Because I would go, and he would start explaining something that I heard the very first time when I'm supposed to be further along down the line.

Q. So did you reach a conclusion at some point that you no longer had faith in the program?

A. I believe so, yes.

Q. Was there a specific event that helped you reach that conclusion or was it a series of events?

A. A series of events. It was just building up to more of the [737] same was being said. Different meetings. We were not being able to see Dr. Hansen. And we were listening to other people that were in the office.

And at that time, another program was introduced into the office that did not concern the rest of the adoptees but the Fijians, and that was when I kept asking.

Actually, I went in the office one day and asked him to just work on one or two cases. Just one or two. And we all—we had all agreed to that. To see that those two cases came in to be completed with immigration, with IRS, and all that.

But that was where we had reached. Because we were all willing to sacrifice money, as a group, just so one or two just get their papers to go right through.

Q. How did Mr. Hansen receive that proposal?

A. That's when we were told that we have to show financial security. We have to have shares. We have to have insurance where the paper value of the insurance is something that's going to help us with showing that stability.

Q. So when you asked for him to focus on completing the program for one or two people instead of the whole group, he responded with more tasks for you to do?

A. Yes. Especially these. Actually, I had to talk to people that I knew, personally, that would be able to pay for the shares. And I think two of them did pay. Paid on the understanding that they could qualify as the first two people to [738] go in the program.

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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

Case No. 2:16-cr-00024

UNITED STATES OF AMERICA, PLAINTIFF

v.

HELAMAN HANSEN, DEFENDANT

Sacramento, California

Apr. 26, 2017

9:00 a.m.

**JURY TRIAL—DAY 6
BEFORE THE HONORABLE
MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE**

APPEARANCES

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[907]

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(Government witness, **EPELI VEISA**, sworn in.)

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DIRECT EXAMINATION

BY MS. LYDON:

Q. Good morning, Mr. Veisa. Do you also have another last name, a legal last name?

A. Epele Vosa.

Q. How do you spell that last name?

A. V-o-s-a.

Q. And Mr. Veisa, which do you prefer?

A. Go with Veisa.

Q. Of what country or countries are you a citizen?

A. Fiji and Great Britain.

[908]

Q. Where you born?

A. In Fiji.

Q. How did you come to have dual citizenship with Britain?

A. I served in the British Armed Forces.

Q. When?

A. 2007 to 2013.

Q. How does that result in British citizenship?

A. Served five years, and that's how I got my British citizenship.

Q. So in Britain they allow—or they afford citizenship to those who serve in their armed forces for five years?

A. Yes, ma'am.

Q. And did you eventually retire from the British Army?

A. Yes.

Q. When was that?

A. 2013.

Q. And what did you do after retiring from the Army?

A. I came for—I left the U.K., and I came over to the U.S.

Q. What was your plan coming over to the U.S.?

A. I wanted to go to college.

Q. What were you are planning to study?

A. I wanted to try to do international studies, environmental studies.

Q. On what type of visa did you come over from Britain to the United States?

[909]

A. The visitors visa.

Q. Do you remember when you came to the United States?

A. I believe it was in January 2014.

Q. And on your—by the terms of your visa, how long were you allowed to stay?

A. Six months, ma'am.

Q. So you came in in January. You were allowed to stay until July?

A. Yes.

Q. Did your mind eventually change on—how long did you intend to stay when you came to the United States?

A. Just before my visa expired, I wanted to check out what college and try applying for international student visa.

Q. All right. Did you ever come into contact with someone named Helaman Hansen?

A. Yes, ma'am.

Q. And did you ever get involved with his company, AHA or Americans Helping America?

A. Yes.

Q. How did you first hear about Helaman Hansen and AHA?

A. I think it was in February when I—my aunt had met up with a friend, and they were discussing about the adoption process, and that's how I came about it.

Q. Okay. So what did you do next after hearing about Helaman Hansen and the adoption?

[910]

A. Well, I asked a few questions, and that's how I started. And they showed me the office.

Q. Let's back up. So you heard about it from a friend of your aunt?

A. Yes.

Q. And then what did you do?

A. I went over to a—a few days to Sacramento to the office in Sacramento.

Q. The AHA office in Sacramento?

A. Yes, ma'am.

Q. Who did you talk to, when you got there, about the program?

A. Dr. Hansen, and I just asked about the adult adoption.

Q. Do you see Dr. Hansen in the courtroom today?

A. Yes. Yes, ma'am.

Q. Could you identify him by what he's wearing?

A. In a suit. In a red or maroon tie and glasses.

THE COURT: The record will reflect the witness is referring to and has identified the defendant.

Q. BY MS. LYDON: You said that when you went to the office in February 2014 you asked Dr. Hansen some questions. What specifically did you ask?

A. Just about the adult adoption and how can I go about it and—

Q. And what did he tell you?

A. He said that through this I could get the U.S. citizenship, [911] follow that process.

Q. Did he say how long it would take to get United States citizenship through his program?

A. Basically about around—I started, I think, when I recall it, I believe six to a year.

Q. Six months to a year?

A. Yes.

Q. And did he set out a timeline of things you would do in that time period, or did he just say, sign up, wait a year, and you're a citizen?

A. At later date, I received a timeline on the things I'll get as the process goes on.

Q. Okay. At that first meeting, did you ask Mr. Hansen whether anyone else had become a citizen in the past?

A. I think after next meeting, then that's when he said that people had gone through it and had gotten their citizenship.

Q. Is there anything else that happened at this first meeting between you and Mr. Hansen?

A. Pardon?

Q. Anything else that happened or was discussed at this first meeting between you and Mr. Hansen?

A. No. Just that, the process, and how much I need—how much I need to pay.

Q. How much did Mr. Hansen say you needed to pay?

A. \$2,500.

[912]

Q. Did you decide at that first meeting whether or not to participate in the program?

A. Yeah. It got me going after talking to Dr. Hansen.

Q. What specifically did Mr. Hansen say that made you say, okay, I'm going to participate?

A. Basically, when you go through the process, that will get you citizenship.

Q. Did you pay at that first meeting?

A. No. Later on.

Q. All right. When was the next meeting that you had with Mr. Hansen?

A. I think it was around March.

Q. Okay. What did you and Mr. Hansen discuss at that March meeting?

A. Just the process of going through the paperwork and, basically, the timeline on things to do.

Q. What did Mr. Hansen say the timeline was?

A. It was on a piece of paper that you get your driver's license, Social Security, and all that as the time goes by. Within a year, you get citizenship.

Q. At that March meeting, did you bring up anything about your visa?

A. Yes.

Q. What did you say?

A. I asked him that I had a valid visa, and I—should I—if [913] I should go back to the U.K. or come back and try for this, and he said I shouldn't worry about it,

about my visa. Once I go through the adult adoption process, then I get citizenship.

Q. And at that March meeting—well, was anything else discussed?

A. No. Pretty much just what to expect and the process.

Q. All right. And on that March meeting, you told Mr. Hansen your visa is going to expire, should I go back, and he said, no, stay, participate in the program, and you'll be good?

A. Yes.

Q. All right. When did you pay, if ever, Mr. Hansen, the price for his program?

A. March, I believe.

Q. Do you remember when in March?

A. I really don't know if it's end of March, or April, but around that timeline.

Q. Was it after you had the discussion with Mr. Hansen about your visa?

A. Yes.

MS. LYDON: May I approach and change binders?

Q. BY MS. LYDON: I'm going to ask you to take a look at documents. The right binder is in front of you, actually. Could you please turn to tab 203?

Do you recognize that document?

A. Yes, ma'am.

[914]

Q. What is it?

A. Check of Bank of America.

Q. Whose name is on that check?

A. My name.

MS. LYDON: Move to admit Government 203.

MR. ZINDEL: No objection.

THE COURT: Admitted.

(Government Exhibit 203 admitted into evidence.)

Q. BY MS. LYDON: Publish.

You mentioned earlier that at your second meeting with Mr. Hansen you think you asked whether anyone had become a citizen before?

A. Yes.

Q. And your second meeting was sometime in March, is that right?

A. Yes.

Q. The same one where you said—or Dr. Hansen told you don't worry about your visa.

What did you say to Mr. Hansen, or what did you ask about whether anyone had become a citizen before through his program?

A. I'm sorry. Can you repeat the question?

Q. Of course. We will talk about that in just a moment.

What did you ask Mr. Hansen, specifically, about whether anyone had become a citizen before through his program?

A. I just pretty much asked if anyone has been through the [915] process—

Q. What did he say?

A. —and citizenship.

And he said, yes. And we ask if we could see or talk to whoever had gone through it so that we could ask a few question or how to go about it.

Q. Could you repeat that last sentence?

A. We asked Dr. Hansen that if we could meet up with or talk to those that have gone through the process, that have got U.S. citizenship.

Q. You asked whether you could to talk to anyone who had gone through the process?

A. Yes.

Q. What did he say?

A. Due to private privileges and client, that they couldn't provide any information because of privacy.

Q. Because of privacy and privileges Mr. Hansen wouldn't provide any information about anyone who had become a citizen before?

A. Yes.

Q. Did that make you worry?

A. A little bit. But I kept believing in the process of it all.

Q. You can now turn to the document that's in front of you on the screen. The print quality isn't great. If we could blow it [916] up a little bit.

That amount is \$2,500. Is that your signature?

A. No.

Q. Do you know whether you signed the check for—

A. The Bank of America.

Q. Pardon me?

A. The bank.

Q. The bank signed the check?

A. Yeah.

Q. Oh, because this is a cashier's check?

A. Yes.

Q. And the way that cashier's check works is that you go to the bank and the bank teller signs?

A. Yes.

Q. Do you recognize this as the cashier's check that you gave Mr. Hansen to participate in the program?

A. Yes.

Q. And what product did you think you were getting for this \$2,500?

A. Basically, the whole process of getting citizenship.

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[918]

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Q. Did there come a time when you again discussed your visa with Mr. Hansen?

A. Yes.

Q. When was that?

A. It was just before the court date for adoption.

Q. And who brought it up?

A. Me.

Q. What did you say?

A. I said that before the court date that my visa is expiring in a few weeks, and should I go back to the U.K. or continue with the process.

Q. What did Mr. Hansen say?

A. He said that I should continue with my court process, and I'll finally get citizenship. If I follow the process for it, it would be in six to a year time.

Q. And could you participate in the process for six months and a year if you went back to Britain in July of 2014?

A. I pretty much just asked him about my visa, and if I should go before my visa expires.

[919]

Q. And he said?

A. Come back and continue with the process. And he said that it's okay. That just continue with the process.

Q. So don't go back, continue?

A. Yes.

Q. If you hadn't met Mr. Hansen, what would you have done when the expiration date on your visa was approaching?

A. I would have gone back to the U.K.

Q. Can you take a look, actually, first in the document behind tab 208. If you look at the—first, what is this document?

A. My visa.

Q. Is this several pages of a larger document?

A. Yes.

Q. Is it also referred to as a passport?

A. Yes.

MS. LYDON: Move to admit Government 208.

MR. ZINDEL: No objection.

THE COURT: Admitted.

(Government Exhibit 208 admitted into evidence.)

Q. BY MS. LYDON: Publish.

Is that your picture?

A. Yes, ma'am.

Q. It reflects that you're a British citizen. Let's look at page 2. And blow up the top half.

It looks like there are a lot of visa stamps from the [920] Department of Homeland Security. You've been to the United States a few times before?

A. Yes, ma'am.

Q. Did you always—well, first, what brought you to the United States those prior times?

A. Coming over for work for the British Armed Forces.

Q. The work with the British Armed Forces brought you to the United States?

A. Yes, ma'am.

Q. What were you doing in the United States?

A. Just training. Getting ready for tour.

Q. A tour where?

A. Afghanistan.

Q. Did you deploy to Afghanistan with American forces and British forces?

A. Yes, ma'am.

Q. Each of those prior visa stamps, before the one on January 19th, 2014, each of the—one, two, three, four, five—six American visa stamps before, did you always leave the country before your visa expired?

A. Yes, ma'am.

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[935]

Q. Did there come a time when you began to have doubts over whether Mr. Hansen's process would result in you becoming a United States citizen?

A. Yes, ma'am.

Q. What caused you to have doubts?

A. Just the amount of forms we were signing, and the questions we asked, and the dateline of things that they said that was going to happen.

Q. Let's take those one at a time.

What kind of questions were you asking Mr. Hansen that caused to you have doubts that the program was legitimate?

A. Basically, about the forms that they were handing out to fill in. For example, on this form, I think it was two different types of form that they give.

Q. When you say “this form,” which exhibit number are you referring to?

A. The application for IRS.

Q. Okay.

A. Yeah. We had received something similar to this, and they changed it, and they gave this form.

Q. Why did changing the forms that AHA gave you cause you to have concerns that the program wouldn’t work?

A. Basically, the forms kept changing. Example, I think it was 007A or something like that, and it kept changing. They said they gave the wrong form.

[936]

And some of the details that they said that people had gone through the citizenship, but we thought that it will be fully once you go through the adoption. But we came—like, we kept hitting a wall, you know what I mean? And that’s when I began to have doubts that—about the adoption process.

Q. So they initially said that once you were adopted, you were a citizen, and then later on that didn’t seem to be happening?

A. Yes. No. Basically, once you get adopted, you’ll follow the process, and after a year—I mean, through six through a year you’ll get your citizenship.

Q. And after a year of participation in the process, had you or anyone else obtained citizenship?

A. No, ma'am.

Q. That caused you to have doubts?

A. Yes.

Q. You just testified the changing forms caused you to have concern, is that right?

A. Yes.

Q. Because if the program had worked why would they change the forms?

A. Yes.

Q. Did Mr. Hansen ever ask you for additional money?

A. Yes.

Q. When and why?

A. I think it was after the—the adoption. They had a [937] meeting in San Francisco and saying about extra money for administration purpose.

Q. Did Mr. Hansen ask for a specific amount of money for administration?

A. They earlier said around 300—three grand for payments. Total payments, yeah. And then it kept changing.

Q. Did you eventually give Mr. Hansen additional money for administration?

A. Yes, ma'am.

Q. How much?

A. 1,000.

Q. Cash, check, or some other means?

A. Cash.

Q. What was the additional thousand dollars that you gave Mr. Hansen for?

A. Basically, it was—it said it was for administration and all the cost of the process with the paperwork that we had gone through.

Q. The process to obtain citizenship?

A. Yes.

Q. You said it was after your adoption. Do you remember how many months after your adoption you gave him a thousand more dollars?

A. About two months or something like that. But I'm not sure what date it was.

[938]

Q. So you were adopted in June of 2014, is that right?

A. Yes.

Q. And your visa expired in July 2014?

A. Yes.

Q. Did you overstay your visa?

A. Yes.

Q. At Mr. Hansen's advice?

A. Yes.

Q. And then you gave him, after that, an additional thousand dollars?

A. Yes, ma'am.

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[993]

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(Government witness, **MANA NAILATI**, sworn in.)

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DIRECT EXAMINATION

BY MR. ESPINOSA:

[994]

Q. Good afternoon, Mr. Nailati. Are you a citizen of the United States?

A. No, sir.

Q. Where are you from, originally?

A. I'm originally from the Fiji Islands.

Q. Are you a citizen of Fiji?

A. Yes, sir.

Q. Where do you live now?

A. Here in Sacramento.

Q. How long have you lived in Sacramento?

A. About two to three years now.

Q. Is that since—

A. 2014.

Q. How did you come to be living in the United States?

A. Came over here for the adoption program.

Q. Where were you living at the time?

A. East Africa. Rwanda.

Q. You said you came here for an adoption program. What program are you talking about?

A. The adoption program that Dr. Hansen runs.

Q. Did you hear about that program in Rwanda?

A. Yes, sir.

Q. How did you hear about it in Rwanda?

A. My family. My aunt and my cousin. They were both in it.

Q. Did they share information about it with you?

[995]

A. Yes, sir.

Q. What did they tell you?

A. They said it's a way to get citizenship, and that was what I was after.

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[996]

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Q. When you traveled to the United States, did you obtain permission from the U.S. Government to come to the United States?

A. Yes, sir. I got visa.

Q. I'm sorry?

A. A visa.

Q. Okay. Did you apply for a visa for the first time then, or did you have a visa?

A. I had a ten-year multiple visa.

Q. You had a multiple-entry visa?

A. Yes, sir.

Q. Did you apply for a visa for that entry?

A. No. My visa was still valid.

Q. So when you arrived in the United States, what happened?

A. When I arrived, they let me in. And they gave me about three months until I had to go back out of the country.

Q. Okay. Let's take a look in the binder in front of you at Exhibit 507. Tab 507.

[997]

All right. Will you turn to page 3 of that exhibit. Do you recognize that?

A. Yes, sir.

Q. What is that?

A. That's my passport.

Q. Is that a photograph of your passport?

A. Yes, sir.

Q. Do you see a photograph of yourself?

A. Yes, sir.

Q. All right. How about the preceding page, 507-02. What is that?

A. That's my passport, sir.

Q. Is this an earlier passport that had already expired?

A. Yes, sir.

Q. And then finally, the first page of 507, do you recognize that?

A. That's a stamp in my passport for when I entered.

Q. Were you present when these photos were made?

A. Yes, sir.

MR. ESPINOSA: Your Honor, Government moves to admit Exhibit 507, all three pages.

MR. ZINDEL: No objection, Your Honor.

THE COURT: Admitted.

(Government Exhibit 507 admitted into evidence.)

Q. BY MR. ESPINOSA: Can we look at 507, page 3.
[998]

There is a TV screen to your left, Mr. Nailati. You may be able to see the exhibit there a little clearer.

Do you see yourself in that photograph?

A. Yes, sir.

Q. I think this is the—pardon me—I think this is the name that you read to the court reporter—Filipe—will you pronounce the second two names?

A. Filipe Sucudonu Waqatairewa.

Q. That's the name you testified was your birth name, is that right?

A. Yes, sir.

Q. It looks like there is an issue date approximately here, is that right?

A. Yes, sir.

Q. What date is that?

A. 6th of November, 2007.

Q. And below that, is there an expiration date?

A. 6th of November, 2017.

Q. Now, let's look at the first page of this exhibit, 507.

There is a number at the top of this photo that is punched through the page in a series of holes. Can you make out that number?

A. 728637.

Q. If you flip back to page 3 of this exhibit, in the upper-right corner, can you read the number under passport [999] number?

A. 728637.

Q. This is the stamp that you got in your passport when you entered the United States?

A. Yes, sir.

Q. Let's talk about that stamp.

What's the agency that the stamp reflects, the U.S. agency?

A. Homeland Security and Customs and Border Protection.

Q. Below that it reads "admitted at" what location?

A. LAX.

Q. And then how about the date below that?

A. August the 10th, 2014.

Q. And there is a class identification stamp below that.

What's the class?

A. B-2.

Q. And then below that there appears to be another date, what is that date?

A. February the 9th, 2015.

Q. What did you understand that date to be when it was stamped into or written into your—

A. That's the date that I was supposed to leave the country by from when I entered.

Q. So when you arrived in the United States, you arrived in Los Angeles, is that right?

A. Yes, sir.

[1000]

Q. What did you do after you arrived in Los Angeles?

A. I contacted my aunt that lives over there in L.A.

Q. You went to her house?

A. Yes, sir.

Q. And did your aunt know about the program that you were investigating?

A. Yes, sir. She was the one that was supposed to adopt me.

Q. She was going to be your adoptive parent?

A. Yeah.

Q. What's that aunt's name?

A. Lusi Nailati.

Q. So after you arrived in Los Angeles, did you eventually do some further investigation into AHA and the program they were offering?

A. After a couple weeks, I headed here to Sacramento.

Q. So you went up to Sacramento to visit AHA?

A. Yes, sir.

Q. All right. Did you meet with anyone during that visit?

A. Mrs. Viola Hansen.

Q. This would have been, based on your previous testimony, still in, approximately, August of 2014?

A. Uh-huh. Yes, sir.

Q. All right. When you arrived at the AHA offices, what happened, who did you meet with?

A. When I got in—I went with my aunt, Vasiti Nailati—and [1001] when we went into the office, we were led into the conference room, and Mrs. Viola Hansen gave us an introduction of the adoption program.

Q. Did you know whether Viola Hansen was working at AHA at the time?

A. Yes, sir. She was working.

Q. How did you know that?

A. She had an office there as well.

Q. And did she talk to you about the program?

A. Yes, sir.

Q. What did she say about the program?

A. That it's quickest and easiest way to get citizenship here in America.

Q. Did she explain what you would have to do to get citizenship?

A. She had a couple of things that we had to do that the adoption program offered and helped us get through.

Q. What were those steps? What were the steps she described?

A. To get adopted by a U.S. citizen, and—you have to get adopted by a U.S. citizen.

Q. What did you have to do after that? Did you have to obtain documents and other things?

A. Yes. We had to build our profile and obtain documents, U.S. documents that had your new name on it. Like your driver's license, tax ID, any other kind of license that you can get your [1002] hands on.

Q. Did anyone mention a birth certificate? Were you going to get one of those?

A. Yes, sir.

Q. What did you hear about a birth certificate?

A. After getting adopted, I would get a new birth certificate with my new name.

Q. What kind of documents, other than government documents, were you told you'd have to obtain?

Better yet, let me ask it this way. What did Mrs. Hansen tell you about the profiling process, what was required?

A. Just had to build my profile under my new name that I was given from the court, Mana Nailati.

Q. How did you build the profile? What did you have to do specifically?

A. I just stick with the program and follow whatever they say.

Q. Okay. Were you told to get specific documents in your new adoptive name?

A. Yes, sir. IRS. I had to get my ITIN number.

Q. What's an ITIN?

A. ITIN number is like a tax ID.

Q. After you heard Mrs. Hansen explain the program to you, did you like how it sounded?

A. Yes, sir.

Q. Did you decide that you wanted to participate?

[1003]

A. Yes, sir.

Q. Was the program free, or did it cost money?

A. Cost money.

Q. How much did it cost?

A. I had to pay \$4,500.

Q. All right. Did you pay that, or did someone pay for you?

A. My aunt was the one that was handling all the money for me.

Q. Okay. Which aunt? The aunt that adopted you or the other aunt?

A. The other aunt, Vasiti Nailati.

Q. When you agreed to join the adoption program, what did you think you were buying?

A. Citizenship.

Q. Did Mrs. Hansen tell you anything about anyone else having succeeded in the program, becoming a citizen through the program?

A. Yes, sir.

Q. What did she say?

A. She had a couple of—there is a whole lot of people that had already been through the program, and it would be easy road for me to get my citizenship.

Q. Did that statement impact your decision whether to join the program or not?

A. Yes, sir.

Q. How did it impact you?

[1004]

A. I really wanted to get citizenship.

Q. All right. So were you eventually adopted?

A. Yes, sir.

* * * * *

[1018]

* * * * *

Q. All right. Now after your adoption in November of 2014 or at any time before February of 2015, did you talk to Mr. Hansen about your expiring visa?

A. Yes, sir.

Q. What did he say to you?

A. He said once I'm in the program, I'm safe. Immigration cannot touch me.

Q. Did he say whether—what did you take that to mean?

[1019]

Let me back up. What specifically did you ask him? Did you ask him whether you should go back, whether you should stay, what was the specific question that you had?

A. He knew about my visa -- my stay expiring, the date, February 9th.

Q. How did he know that?

A. My passport.

Q. How did he know what was in your passport?

A. Because my passport was in the office.

Q. You had given it to him?

A. Yeah. It was—we had to give it in to—for information for filing.

Q. For information collected from the passport?

A. Yeah.

Q. And then at some point you went and spoke to him about the specific question of your expiring visa?

A. Yes, sir.

Q. What did you say to him? How did you present the issue to him?

A. I was asking him, does it affect me that even though my visa is expired and the program—nothing has come through in the program. And he said once you're in the program, you're safe. Immigration cannot touch you.

Q. What did you understand that to mean?

A. I felt safe. That I was—my name was in the program, and [1020] I had—I had proof. Birth certificate and court order. That's all I had to show—

Q. All right.

A. —to be safe, I guess.

Q. How did it affect your decision about whether to go back to Fiji or whether to stay?

A. I was excited because just steps towards citizenship. Flying to Fiji was not an option for me.

Q. Did Mr. Hansen's comment to you that they can't touch you now that you're in the program, did that affect your decision whether to stay in the United States or to leave and comply with your visa?

A. It made me want to stay. Because I was already receiving, like I said, birth certificate, court order, tax ID. So the progress of receiving those documents, it was enough proof for me to go on with the program and stay.

* * * * *

[1021]

* * * * *

Q. How about this document, do you recognize it?

A. Yes, sir.

Q. What is that?

[1022]

A. That's the page in my passport that has my American visa.

Q. And this American visa was issued in December of 2004, is that right?

A. Yes, sir.

Q. And it expired in December of 2014?

A. Yes, sir.

Q. So when you entered, you entered in August of 2014, is that right?

A. Yes, sir.

Q. And you had the stamp that you received, that you looked at on the passport page, gave you a date by which you had to leave, is that right?

A. Yes, sir.

Q. And that date was February of 2015?

A. Yes, sir.

Q. Is it fair to say that that was the last time you could have entered on this visa?

A. Yes, sir.

Q. Had you visited the United States prior to your visit in August of 2014?

A. Yes, sir.

Q. How many times had you visited the United States prior to August of 2014?

A. Twice before.

Q. Twice before?

[1023]

A. Yes, sir.

Q. And were you given similar limited-duration stays?

A. Yes, sir.

Q. And when your visa, when the entry visa in those prior trips expired, did you leave and go back to Fiji, or did you stay?

A. Yes, sir. I left before the visa had expired. The time to stay.

Q. But this time that you were testifying about from February of 2015, you stayed, is that right?

A. Yes, sir.

Q. Why did you stay?

A. Because I was in the adoption program.

Q. And did Mr. Hansen's advice to you have any impact on your decision to stay?

A. Yes, sir.

Q. What was that impact?

A. To keep with the program. I'm safe with the program.

Q. You're safe with the program, and so that the impact of the statement was that you decided to leave or stay?

A. Stay here.

Q. Did you eventually take employment at AHA or NHPI?

A. Yes, sir.

Q. How is it that you came to work at AHA?

A. I was good at computers, and they needed workers to do some—some work on online directory.

[1024]

Q. So you had experience doing IT work, is that fair to say?

A. Yes, sir.

Q. Did you approach someone at AHA for a job, or did someone ask you about whether you wanted to work there?

A. They asked me. Mrs. Hansen asked me.

Q. Mrs. Hansen did. And approximately when was that? When did she approach you about employment?

A. Once I signed up for the adoption, a couple weeks after that she said for me to at least come in once, twice a week and do some work. And I was doing some filing for them. And then later, once they knew I could work computers, said to come in every day.

Q. Approximately how much time passed between your part-time employment and your more full-time employment?

A. I would say a couple of months.

Q. All right. So about the end of 2014 you started full-time or a little after that?

A. A little after that.

Q. Okay. Did you work for AHA, or NHPI, or CIBO?

A. All three.

Q. You worked for all three?

A. Yes, sir.

Q. You said that you were receiving a stipend, is that right?

A. Yes, sir.

Q. How much was that pay?

[1025]

A. The first time I was there, I was getting a hundred dollars a week.

Q. And did your pay change when you became full time?

A. Yes, sir.

Q. What did your pay change to?

A. \$10 an hour.

Q. Okay. You talked about doing some computer projects. What were your other duties at AHA, NHPI, and CIBO?

A. I was a maintenance guy. Pretty much help out in whatever needed doing.

Q. Did you work in any media? Did you work in the media department?

A. Yes, sir.

Q. What was your job at the media department?

A. Later, the media, I was in charge of the media room. So I was in charge of all the videos and camera, working the camera, taking the camera out to activities, and being the cameraman pretty much.

Q. What were you recording? What videos were you making?

A. At first, I was making programs to show on the local Sacramento TV. And then later on, started shooting videos of Dr. Hansen.

Q. The videos you made of Mr. Hansen, what were those videos?

A. They were videos of his announcements of the business that he was getting involved in. The adoption program and—

[1026]

Q. Did he—sorry—go ahead.

A. Yeah.

Q. Let me let you finish.

A. And pretty much announcements to people that were involved with adoption or with the business that he was working on at the time.

* * * * *

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

Case No. 2:16-cr-00024

UNITED STATES OF AMERICA, PLAINTIFF

v.

HELAMAN HANSEN, DEFENDANT

Sacramento, California

May 8, 2017

9:00 a.m.

**JURY TRIAL—DAY 10
BEFORE THE HONORABLE
MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE**

APPEARANCES

FOR THE GOVERNMENT:

UNITED STATES ATTORNEY
501 I Street, Suite 10-100
Sacramento, California 95814

By: ANDRE M. ESPINOSA
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Assistant U.S. Attorneys

FOR THE DEFENDANT:

FEDERAL DEFENDER
801 I Street, Third Floor
Sacramento, California 95814

By: TIMOTHY ZINDEL
SEAN RIORDAN
Assistant Federal Defenders

* * * * *

[1790]

* * * * *

(Settlement of jury instructions.)

* * * * *

[1813]

* * * * *

THE COURT: I understand. But I still stand by my original ruling.

The next is 6.9, diminished capacity. There is no objection to that.

Then the next one is alien, encouraging illegal entry. That's 9.4. And there were two instructions provided. It appears that the Government's proposed instruction is the—well, it is the pattern instruction. It's the law. So I'll let you put on the record as to why you believe there should be a modification to 9.4.

MR. RIORDAN: Yes, Your Honor. The modifications we [1814] are proposing are minor but still significant in terms of the jury's ability to determine properly whether the statute was violated.

The first modification in terms of adding the term "substantially," that's based in out-of-circuit case law. But it's a principle of substantiality that is consistent with the plain import of the statute.

Because it seems implausible that Congress would have criminalized conduct that doesn't substantially encourage or induce somebody as opposed to some de minimis encouragement or inducement of somebody to violate the law.

And the case, primarily, that we're relying on is a Third Circuit case. *DelRio-Mocci versus Connolly Properties*, 672 F.3d 241.

The second change is the one that incorporates an intentionality requirement into what the defendant was doing in terms of the non-citizens' residence.

So our proposed language would require that the defendant have intended that the non-citizens' residence in the United States would be in violation of the law.

And that comes out of *Yoshida*, which found that the Government is required to prove an intent to violate the immigration laws in order to make out a successful prosecution under 1324(a).

And then the "acting for the purposes of his own private [1815] financial gain," which would be—that's a proposed fourth paragraph, I think that the verdict forms, which break out a separate finding beyond a reasonable doubt for private financial gain, would make that unnecessary.

THE COURT: Did you say, "necessary" or "unnecessary"?

MR. RIORDAN: Sorry. Unnecessary, Your Honor.

Because under the Government's proposed verdict forms, the jury has to make a separate determination as to that sentencing enhancement.

THE COURT: Yes.

MR. ESPINOSA: Your Honor, on the proposed modifications to this Instruction 9.4, the Government opposes strongly the additions and modifications primarily because they modify the elemental language in the standard instructions to require, first, a heightened evidentiary requirement; that is, in the proposed modification in the second element, the defense would ask the jury to find substantial encouragement rather than encouragement, which is the language of the statute and the language of the Ninth Circuit model instruction.

With respect to the third element and the proposed modification therein, the modification proposes to change completely the mens rea from "knew or acted in reckless disregard" to "intended."

That is a dramatic reinterpretation of the statute that not only changes the terms of the statute but changes the level of [1816] proof necessary. So for those reasons, the Government opposes those modifications.

THE COURT: I agree with the Government's position that adding the word "substantially" and then "intent" is not what the law does require.

And the pattern instruction states what the law is very clearly, and so it's not necessary. So that requested modified instruction of 9.4 is denied.

* * * * *

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

Case No. 2:16-cr-00024

UNITED STATES OF AMERICA, PLAINTIFF

v.

HELAMAN HANSEN, DEFENDANT

Sacramento, California

May 9, 2017

9:00 a.m.

**JURY TRIAL—DAY 11
BEFORE THE HONORABLE
MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE**

APPEARANCES

FOR THE GOVERNMENT:

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KATHERINE T. LYDON
Assistant U.S. Attorneys

FOR THE DEFENDANT:

FEDERAL DEFENDER
801 I Street, Third Floor
Sacramento, California 95814

By: TIMOTHY ZINDEL
SEAN RIORDAN
Assistant Federal Defenders

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[1909]

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THE COURT: Thank you, counsel.

All we have left now is for me to read the instructions, and I can send you out. Are you okay to take another ten minutes?

Okay. Fine. We'll go ahead and start with the instructions at this point in time, and I'll have you out just a little bit after noon today to begin your deliberations. We'll keep our time schedule.

Members of the jury, now that you have heard all the evidence it is my duty to instruct you on the law that applies to this case. A copy of these instructions will be available to you in the jury room for you to consult.

* * * * *

[1919]

* * * * *

The defendant is charged in Count 17 and 18 of the superseding indictment with encouraging illegal entry by an alien in violation of Section 1324(a)(1)(A)(iv) of Title 8 of the United States Code.

In order for the defendant to be found guilty of that charge the Government must prove each of the following elements beyond a reasonable doubt.

First, with respect to Counts 17 and 18, respectively, Epeli Q. Vosa and Mana E. Nailati was each an alien.

Second, the defendant encouraged or induced Epeli Q. Vosa and Mana E. Nailati to reside in the United States in violation of law.

Third, that the defendant knew or acted in reckless disregard of the fact that Epeli Q. Vosa and Mana E. Nailati residence of the United States would be in violation of the law.

An alien is a person who is not a natural-born or [1920] naturalized citizen of the United States. An alien enters the United States in violation of law if not duly admitted by an immigration officer.

* * * * *

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

Case No. 2:16-CR-00024-MCE

UNITED STATES OF AMERICA, PLAINTIFF

v.

HELAMAN HANSEN, DEFENDANT

Filed: Apr. 14, 2017

Trial Date: Apr. 17, 2017

Time: 9:00 a.m.

Court: Hon. Morrison C. England

**GOVERNMENT'S AMENDED PROPOSED JURY
INSTRUCTIONS**

* * * * *

The defendant is charged in Counts Seventeen and Eighteen of the superseding indictment with encouraging illegal entry by an alien in violation of Section 1324(a)(1)(A)(iv) of Title 8 of the United States Code. In order for the defendant to be found guilty of that charge, the government must prove each of the following elements beyond a reasonable doubt:

First, with respect to Counts Seventeen and Eighteen, respectively: Epeli Q. Vosa and Mana E. Nailati, was each an alien;

Second, the defendant encouraged or induced Epeli Q. Vosa and Mana E. Nailati to reside in the United States in violation of law; and

Third, the defendant knew or acted in reckless disregard of the fact that Epeli Q. Vosa and Mana E. Nailati's residence in the United States would be in violation of the law.

An alien is a person who is not a natural-born or naturalized citizen of the United States.

An alien enters the United States in violation of law if not duly admitted by an Immigration Officer.

9TH CIR. CRIM. JURY INST. 9.4 (2010)

Plaintiff's Proposed Jury Instruction No. 44

GIVEN _____

GIVEN AS MODIFIED _____

REFUSED _____

WITHDRAWN _____

Judge

* * * * *

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

Case No. 2:16-CR-00024-MCE

UNITED STATES OF AMERICA, PLAINTIFF

v.

HELAMAN HANSEN, DEFENDANT

Filed: Apr. 10, 2017

Trial Date: Apr. 17, 2017

DEFENDANT'S PROPOSED JURY INSTRUCTIONS

* * * * *

4 Elements of 8 U.S.C. § 1324(a)(1)(A)(iv)

The defendant is charged in Counts Seventeen and Eighteen of the indictment with encouraging illegal entry by an alien in violation of Section 1324(a)(1)(A)(iv) of Title 8 of the United States Code. In order for the defendant to be found guilty of that charge, the government must prove each of the following elements beyond a reasonable doubt:

First, [name of alien] was an alien;

Second, the defendant substantially⁴ encouraged or induced [name of alien] to reside in the United States in violation of law; and

⁴ See *Delrio-Mocci v. Connolly Properties, Inc.*, 672 F.3d 241, 248 (3d Cir. 2012).

Third, the defendant intended⁵ that [name of alien]'s residence in the United States would be in violation of the law.

Fourth, the defendant acted for the purpose of his own private financial gain.

An alien is a person who is not a natural-born or naturalized citizen of the United States. An alien enters the United States in violation of law if not duly admitted by an Immigration Officer.

Ninth Cir. Model 9.4 (current ver., modified)

* * * * *

⁵ See *United States v. Yoshida*, 303 F.3d 1145, 1149 (9th Cir. 2002).

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

Case No. 2:16-CR-00024-MCE

UNITED STATES OF AMERICA, PLAINTIFF

v.

HELAMAN HANSEN, DEFENDANT

[Filed: May 9, 2017]

VERDICT FORM

We, the jury, unanimously, find the Defendant,
HELAMAN HANSEN, as follows.

AS TO COUNT 1:

GUILTY NOT GUILTY

 X _____

of Count 1, Mail Fraud,
in violation of Title 18,
United States Code,
Section 1341, regarding
the Delayed Registra-
tion of Birth of Vasiti
Nailati Morrill mailed
on or about July 7, 2014.

AS TO COUNT 2:

GUILTY NOT GUILTY

 X _____

of Count 2, Mail Fraud, in violation of Title 18, United States Code, Section 1341, regarding the Delayed Registration of Birth of Epeli Q. Vosa mailed on or about July 10, 2014.

AS TO COUNT 3:

GUILTY NOT GUILTY

 X _____

of Count 3, Mail Fraud, in violation of Title 18, United States Code, Section 1341, regarding the Delayed Registration of Birth of Maraia Endo mailed on or about September 2, 2014.

AS TO COUNT 4:

GUILTY NOT GUILTY

 X _____

of Count 4, Mail Fraud, in violation of Title 18, United States Code, Section 1341, regarding the AHA Migration Program Application of

Henrietta Ane Matakitoga mailed on or about September 3, 2014.

AS TO COUNT 5:

GUILTY NOT GUILTY

 X _____

of Count 5, Mail Fraud, in violation of Title 18, United States Code, Section 1341, regarding the Delayed Registration of Birth of Mana E. Nailati mailed on or about December 19, 2014.

AS TO COUNT 6:

GUILTY NOT GUILTY

 X _____

of Count 6, Mail Fraud, in violation of Title 18, United States Code, Section 1341, regarding the Delayed Registration of Birth of Gabriela Gonzalez Sevier mailed on or about April 22, 2015.

AS TO COUNT 7:

GUILTY NOT GUILTY

 X _____

of Count 7, Mail Fraud, in violation of Title 18, United States Code, Section 1341, regarding the I-TIN of Amete Bai Eberly mailed on or about May 19, 2015.

AS TO COUNT 8:

GUILTY NOT GUILTY

 X _____

of Count 8, Mail Fraud, in violation of Title 18, United States Code, Section 1341, regarding the I-TIN of Vasiti Nailati Morrill mailed on or about June 22, 2015.

AS TO COUNT 9:

GUILTY NOT GUILTY

 X _____

of Count 9, Mail Fraud, in violation of Title 18, United States Code, Section 1341, regarding the Delayed Registration of Birth of Vikram Coutinho mailed on or about July 7, 2015.

AS TO COUNT 11:

GUILTY NOT GUILTY

 X _____

of Count 11, Mail Fraud, in violation of Title 18, United States Code, Section 1341, regarding the I-TIN of Kinsimere Ranadi Morrill mailed on or about July 21, 2015.

AS TO COUNT 12:

GUILTY NOT GUILTY

 X _____

of Count 12, Mail Fraud, in violation of Title 18, United States Code, Section 1341, regarding the I-TIN of Emerson Rivas Sevier mailed on or about December 3, 2015.

AS TO COUNT 13:

GUILTY NOT GUILTY

 X _____

of Count 13, Mail Fraud, in violation of Title 18, United States Code, Section 1341, regarding the Delayed Registration of Birth of Sam Tukana Dias mailed on or about August 4, 2016.

AS TO COUNT 14:GUILTY NOT GUILTY X _____

of Count 14, Wire Fraud, in violation of Title 18, United States Code, Section 1343, regarding an electronic transfer, via Fedwire, of approximately \$1,100 from a Bank of America account on behalf of Pamela Vunlileva, to a Chase Bank account controlled by Americans Helping America, on or about June 3, 2013.

AS TO COUNT 15:GUILTY NOT GUILTY X _____

of Count 15, Wire Fraud, in violation of Title 18, United States Code, Section 1343, regarding an email from Henrietta Matakotoga Avoi delivering proof of payment for her Migration Program membership, sent from Washington to Native Hawaiians Pacific Islanders,

in Sacramento, California, on or about September 3, 2014.

AS TO COUNT 16:

GUILTY NOT GUILTY

 X _____

of Count 16, Wire Fraud, in violation of Title 18, United States Code, Section 1341, regarding the electronic transfer, via Fedwire, of approximately \$3,500 from a Bank of America account on behalf of Sachin Salian, to a Chase Bank account controlled by Americans Helping America, on or about June 4, 2015.

AS TO COUNT 17:

GUILTY NOT GUILTY

 X _____

of Count 17, Encouraging and Inducing Illegal Immigration, in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iv), regarding Epeli Q. Vosa, between on or about January 19, 2014 and July 18, 2014.

YES NO
 X

If you found the defendant guilty of Count 17, do you find beyond a reasonable doubt that the offense was done for the purpose of private financial gain?

AS TO COUNT 18:

GUILTY NOT GUILTY

 X

of Count 18, Encouraging and Inducing Illegal Immigration, in violation of Title 8, United States Code, Section 1324(a)(1)(A)(iv), regarding Mana E. Nailati, between on or about August 10, 2014 and February 9, 2015.

YES NO
 X

If you found the defendant guilty of Count 18, do you find beyond a reasonable doubt that the offense was done for the purpose of private financial gain?

DATED: [5/9/2017] /s/ ILLEGIBLE
JURY FOREPERSON