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License fraud case ends in acquittals

HOLLY DANKS, The Oregonian

HILLSBORO --A Washington County judge ended the biggest immigration fraud case in Oregon history Tuesday by finding two alleged masterminds not guilty of helping thousands of nonresidents get driver's licenses.

Circuit Judge Michael J. McElligott said there was not enough evidence to link Fabio Alberto Robleto, 41, to a scheme that brought illegal immigrants by the vanload to the La Unica driver's test school he ran in Beaverton with his brother, Sergio Antonio Robleto, 43.

McElligott threw out the charges against Sergio Robleto on Friday before hearing final arguments in the weeklong combined trial.

Both men embraced tearful family members after court Tuesday.

"Now I can rejoice," Sergio Robleto said as he hugged David Rich, his court-appointed attorney.

"It was the right decision to make," Rich said. "There was no scheme."

However, McElligott did not go easy on the Robletos' operations.

"Clearly, crimes were being committed," McElligott said in announcing his verdicts.

"People were being brought up here from California, up here from Nevada and out here from New York for the sole purpose of getting an Oregon driver's license that they were not entitled to."

In November, Washington County Circuit Judge Steven L. Price found a third brother, Miguel F. Robleto, 47, not guilty of racketeering and 159 counts similar to those against his younger brothers. Miguel Robleto operated Drive Master Education in Hillsboro.

Eight people, including Miguel Robleto's daughter, pleaded guilty to racketeering and forgery charges involving the third-party testing companies run by the brothers under contract from Oregon Driver and Motor Vehicle Services.

Those who pleaded guilty admitted selling envelopes with fake Portland-area addresses as proof of Oregon residency or falsifying driver's tests applications for illegal immigrants they ferried to La Unica and Drive Master Education from other states.

Oregon is one of the few states that does not require someone to be a U.S. citizen to obtain a driver's license; applicants need only show proof of Oregon residency.

Oregon driver's licenses can be used here or in another state, or traded for a license elsewhere. Licenses allow their holders to open bank accounts, earn credit cards, board airplanes, and apply for jobs and government services.

"In today's society, there are some real red flags that have to emerge for everybody despite the fact that there were acquittals," said Kevin Neely, spokesman for the Oregon attorney general, after Tuesday's verdict.

Task force takes on issues

Neely said the attorney general and Oregon Driver and Motor Vehicle Services created a task force to "address the issues of the Robleto case" to try to "ensure that the system doesn't permit similar fraud in the future."

Members will try to determine in the next few days how many licenses were obtained fraudulently "and how best to terminate those licenses," Neely said.

Daina Vitolins, who prosecuted the case for the attorney general's office, said La Unica and Drive Master Education handled about 80,000 driver's license applications in two years.

According to Oregon Department of Justice figures, La Unica took in about \$140,000 in less than a year, charging applicants \$80 for a driving class, \$40 for a behind-the-wheel driving test and \$40 to rent Fabio Robleto's Toyota Camry to drive during the test.

When the investigation into the Robletos began in May 2003, DMV accepted personal, postmarked envelopes as proof of address. DMV has since changed rules to disallow personal mail and to require bills or rental agreements as proof of residency. It also has stopped the third-party testing program.

Fabio Robleto was acquitted of racketeering and 74 underlying counts of money laundering, unlawful financial activity, forgery, possession of a

forged instrument, tampering with public records and unsworn falsification. Sergio Robleto was acquitted of racketeering and 76 counts similar to those against Fabio Robleto.

Out-of-state applicants

There was testimony that Fabio Robleto knew people were coming to La Unica from out of state, staying in nearby motels so they could take the tests and leaving for their real homes as soon as they got their licenses.

"There's some evidence," McElligott said, "but there's just not enough."

In his closing statement Tuesday, Jeff Lesowski, Washington County senior deputy district attorney, called the Robletos' activity "pretty clever --it was criminal, but it was clever."

Four people testified that they came from out of state because they heard La Unica would help them get Oregon driver's licenses.

"There's no evidence Fabio Robleto knew these people were committing fraud," said Michelle Burrows, his private attorney. "Most people who come to get the DMV test are from somewhere else. I'm from Idaho."

After the verdicts, Burrows and Rich called for immigration reform.

"This was our porous border on trial," Rich said. "We do not have an immigration policy."

Burrows said illegal immigrants are willing to commit fraud to get driver's licenses "because these are desperate people trying to fit into American society. Isn't that what this country was founded on?"