26-mj-5083-JGD

AFFIDAVIT OF SPECIAL AGENT CHRISTINA ROSEN IN SUPPORT OF A CRIMINAL COMPLAINT

I, Christina Rosen, having been sworn, state:

Introduction and Agent Background

1. I am employed as a Special Agent with the United States Department of Labor, Office of Inspector General, Office of Investigations ("DOL OIG") in Boston, Massachusetts. My responsibilities as a Special Agent with DOL OIG include investigating fraud, waste and abuse of Department of Labor programs, employees, and departments. I have been employed by the United States government as a Special Agent since October 2007. I am a graduate of the Criminal Investigator Training Program of the Federal Law Enforcement Training Center in Glynco, Georgia, and have received extensive training in criminal investigation procedures and criminal law. In 2005, I graduated from Northeastern University with a Bachelor's degree in Criminal Justice. In 2006, I graduated from Boston University with a Master's degree in Criminal Justice.

2. I am currently assigned to the HSI New England Document and Benefit Fraud Task Force ("DBFTF"), a specialized field investigative group comprised of personnel from various state, local, and federal agencies with expertise in detecting, deterring, and disrupting organizations and individuals involved in various types of document, identity, financial, and benefit fraud schemes. I have conducted investigations of several types of criminal activity, including work visa fraud, unemployment insurance fraud, CARES Act fraud, false claims fraud, employee benefits fraud, identity theft, and money laundering. As part of this task force, I am responsible for conducting investigations involving, but not limited to, the manufacturing, counterfeiting, alteration, sale, and use of identity documents and other fraudulent documents to evade law enforcement or for other criminal activity. Due to my training and experience, as well as

conversations with other law enforcement officers, I am familiar with the methods, routines, and practices of document counterfeiters, vendors, and persons who fraudulently obtain or assume false identities.

3. I have participated in various aspects of investigations into the use and manufacture of fraudulent documents, including conducting physical surveillance, surveillance of controlled purchases involving undercover agents and/or cooperating witnesses, the introduction of undercover agents, the execution of search warrants, the effecting of arrests, and the debriefing of defendants, informants, and witnesses.

Purpose of Affidavit

4. I submit this affidavit in support of an application for a criminal complaint charging Arvaro Montero Diaz with a violation of 7 U.S.C. § 2024(b), Illegal Acquisition or Use of Supplemental Nutrition Assistance Program ("SNAP") Benefits, 18 U.S.C. §1343, Mail Fraud, and 18 U.S.C. §1028A, Aggravated Identity Theft.[1]

5. This affidavit is based on my personal knowledge, information provided to me by other law enforcement officers and federal agents, and my review of records described herein. This affidavit is not intended to set forth all of the information that I have learned during this investigation but includes only the information necessary to establish probable cause for the requested criminal complaint.

Background Information on SNAP

6. SNAP is a government benefit funded by the American taxpayer. Congress enacted SNAP to "promote the general welfare, to safeguard the health and well-being of the nation's

[1] I have reviewed this individual's Alien file, or A-file, and it is my understanding that he filed for a provisional waiver to file for adjusted status (a Form I601A) but that the provisional waiver was denied

population by raising levels of nutrition among low-income households." 7 U.S.C. § 2011. This program seeks to enable low-income households to obtain a more nutritious diet by increasing their food purchasing power.

7. Under the program, eligible households receive food stamps in the form of credits to an electronic benefit card to buy food from retail food stores that participate in SNAP. Food stamp benefits are obligations of the United States and redeemable at face value by the Secretary through the facilities of the Treasury of the United States. 7 U.S.C. § 2024(d). USDA administers SNAP nationally. Individuals or families that are in need of SNAP benefits may apply for assistance through the Massachusetts Department of Transitional Assistance ("DTA").

8. To qualify for SNAP in Massachusetts, the applicant must be a resident of Massachusetts, meet the financial eligibility requirements, and be a United States citizen or an eligible non-citizen, such as Lawful Permanent Resident ("LPR") who has earned, or can be credited with, 40 quarters of work. An applicant for SNAP benefits must also provide proof of their identity, *i.e.*, the applicant must be the person who they claim to be. An applicant must also furnish a Social Security number or provide proof that the applicant has applied for one.

9. Massachusetts uses the Electronic Benefit Transfer ("EBT") system for SNAP benefits. The EBT system uses plastic debit cards, which are automatically credited with the recipient's appropriate amount of benefits during certain times of each month. To access benefits, the recipient presents the card at an authorized retailer's location. The card is swiped through an electronic terminal device (commonly and hereinafter referred to as an "EBT terminal") which reads coded information on the card's magnetic strip. The transaction amount is deducted from the EBT card's balance and deposited into the retailer's account.

10. An applicant for SNAP benefits must provide complete and accurate information

both at the time of application and on an ongoing basis in order to properly assess initial and continued eligibility for benefits. All applicants must acknowledge this in the application. It is unlawful to knowingly use, transfer, acquire, alter, or possess SNAP benefits in any manner contrary to Title 7 of United States Code or the regulations issued by the USDA. It is unlawful to knowingly use, transfer, acquire, alter, or possess SNAP benefits in any manner contrary to Title 7 of United States Code or the regulations issued by the USDA.

Massachusetts Unemployment Benefits

11. In the Commonwealth of Massachusetts, Unemployment Insurance ("UI") benefits are funded by the UI Trust Fund, which is comprised of monies obtained by state-imposed taxes on employers, and federal funds. The Department of Unemployment Assistance (DUA) is responsible for administering the UI program in Massachusetts.

12. On March 27, 2020, the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") was signed into law. The CARES Act provided additional monies and benefit weeks for UI claims, as well as created a new temporary federal unemployment insurance program called Pandemic Unemployment Assistance ("PUA"). PUA provided unemployment benefits for individuals who were not eligible for UI or other types of unemployment (e.g., individuals who are self-employed, independent contractors, gig economy workers). All COVID-19 UI claims, and PUA claims, were eligible to receive additional monies and additional benefit weeks from temporary federal programs created by the CARES Act.

13. If a claimant was eligible for UI, they were not eligible for PUA, and vice versa.

Probable Cause

14. The HSI New England DBFTF is currently investigating a group of undocumented persons who are believed to have obtained stolen identities of United States citizens, most of whom

reside in Puerto Rico, and used those identities to obtain identity documents and public benefits that they would not otherwise be eligible to receive, such as Social Security numbers ("SSN"), SNAP, Supplemental Security Income ("SSI"), MassHealth, Unemployment, and United States passports.

15. In January 2025, federal agents conducted an analysis of SNAP recipient data to detect identities (names, dates of birth, and Social Security numbers) receiving SNAP benefits in multiple states during a specific time period. It is unlawful for a person to receive SNAP benefits in more than one state in any month.

16. In March 2023, a person or persons using the identity of A.R.H. [2] received SNAP benefits in both Massachusetts and Puerto Rico simultaneously. An identity receiving SNAP and other government benefits in more than one state simultaneously is an indicator of identity theft.

17. According to MA DTA records, on or about September 4, 2020, an individual claiming to be A.R.H. completed a provisional report which confirmed his information was up to date. On the application, the applicant represented himself as A.H.R. with the date of birth xx-xx-1985[3] and a mailing address in Lowell, MA. Included in the MA DTA records is a photocopy of a Puerto Rico driver's license in the name of A.L.R.H., with date of birth xx-xx-1985, and bearing license number xxxxx17 (see image below). It is unclear which application this driver's license is attached to but it appears to correspond with the September 4, 2020 provisional report.

[2] The identity of victim A.R.H. is known to the government. The initials of the victim's full name are A.L.R H. In order, these initials represent the victim's first name, middle name, paternal last name, and maternal last name. To protect the victim's privacy, only the initials "A.L.R.H.", "A.R.H.", "A.H.R.", and "A.R." are used in this affidavit to reflect the variations of the victim's full name.

[3] The DOB has been partially redacted herein. The redacted DOBs referenced in the Affidavit are identical unless otherwise noted.

18. According to MA DTA, between February 2021 and June 2025, the individual posing as A.R.H. received $12,525 in SNAP benefits from Massachusetts.

Use of the Victim A.R.H. Identity at the MA RMV

19. On or about October 16, 2016, an individual submitted an application to the MA Registry of Motor Vehicles ("RMV") to convert an out of state driver's license from New Hampshire. On the application the individual provided the name A.L.R.H., date of birth xx-xx-1985, SSN xxx-xx-9489, and an address in Lowell, MA. The individual also provided a copy of his NH driver's license as proof of identification. As a result, MA driver's license Sxxxx999 was issued. On November 2, 2016, the license was revoked due to identified fraud.

20. On May 6, 2024, an individual submitted an application to the MA RMV for a Real ID driver's license. The individual provided the name Arvaro Alberto Montero Diaz, date of birth xx-xx-1985, and an address in Lowell, MA. As a result, driver's license SAxxx1267 was issued

and was merged with account Sxxxx9999, which belonged to the individual purporting to be A.R.H., and which had been previously identified as fraudulent by the MA RMV.

21. I have compared the MA driver's license photograph of Arvaro Alberto Montero Diaz (SAxxx1267) to the MA driver's license photograph of the individual purporting to be A.L.R.H. and believe they depict the same person.

A.L.R.H., Sxxxx9999 *Arvaro Montero Diaz, SAxxx1267*

Pandemic Unemployment Assistance Fraud

22. On or about July 12, 2020, a claim for Pandemic Unemployment Assistance ("PUA") was filed for A.R. with the MA Department of Unemployment Assistance ("DUA"). In this claim, A.R. stated his "place of employment was closed because of COVID-19" and his employment was first affected by COVID-19 on March 5, 2020. A.R. further indicated he had filed for Unemployment Insurance ("UI") but had been denied. A.R. identified he earned $15,000 in 2019 and had not earned more than $89 a week between March 1, 2020 and July 11, 2020.

38. On his application, A.R. listed date of birth xx-xx-1985, SSN xxx-xx-9489, and a home and mailing address in Lowell, MA. A.R. also certified he was a U.S. citizen and requested that all PUA benefits be deposited directly into a Bancorp Bank checking account ending in 7073.

39. Prior to submitting this application, A.R. provided email arvarof1@hotmail.com and cell phone number xxx-xxx-6124[4]. Arvaro Alberto Montero Diaz utilized email arvarof1@hotmail.com[5] in his MA RMV application for SAxxx1267. The email address itself begins with this individual's first name ("Arvaro").

40. DUA placed an Identity Verification Issue on the claim. In response, on the same day, A.R. uploaded documents to support the A.R. PUA claim which included mail from MA DTA to show proof of address, a Social Security card[6], a Puerto Rico birth certificate, and the same Puerto Rico driver's license submitted to MA DTA which is referenced in paragraph 17. Upon review of the submitted documentation, MA DUA verified the identity.

41. On or about June 14, 2020, DUA issued a total of $6,603 (9 weeks of benefits) on this claim into Bancorp Bank checking account ending in 7073.

42. On or about June 20, 2020, DUA issued a notification to A.R. stating he is not eligible for PUA as he is eligible for UI.

COVID-19 Unemployment Insurance Fraud

43. On or about June 29, 2020, a claim for COVID-19 UI was filed for A.R. with MA DUA[7]. The application lists date of birth xx-xx-1985, SSN xxx-xx-9489, a mailing and residential address in Lowell, MA, phone number xxx-xxx-6124, and email address alvarof1@hotmail.com.

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[4] Arvaro Montero Diaz provided this phone number in his I-601A Application for Provisional Unlawful Presence Waiver with United States Customs and Immigration Services ("USCIS").

[5] Arvaro Montero Diaz provided this email in his I-601A Application for Provisional Unlawful Presence Waiver with USCIS.

[6] This exact SSA card was also submitted to MA RMV in support of A.L.R.H. license SXXXX9993.

[7] A search of MA DUA UI claims also located two historical UI claims filed for A.R. in 2014 and 2016.

This application claims A.R. is a U.S. Citizen that worked 40 hours a week in MA as a barber[8]. In addition, the A.R. claim requests correspondence from DUA in Spanish and via the US mail.

44. Due to the COVID-19 emergency, the traditional one week wait period for eligibility verification was waived. As such, on or about July 30, 2020, DUA determined the A.R. claim would be eligible for a weekly benefit allowance of $193, plus any additional CARES Act monies and/or extended weeks (i.e. Federal Pandemic Unemployment Compensation, Lost Wage Assistance-FEMA, and Pandemic Emergency Unemployment Compensation).

45. In support of his UI application, A.R. submitted to DUA, via the United States Postal Service, multiple documents to secure benefit monies. In particular, on or about August 10, 2021, A.R. mailed in a response to DUA's request for corrected wage and employer information regarding disputed information on this claim. As part of these records, DUA scanned the envelope in which the document was mailed to A.R. This envelope had a return mailing address of R.A. in Lowell, Massachusetts.

46. From on or about August 4, 2020 to on or about September 8, 2021, after submitting weekly certifications[9] every week stating A.R. was willing and able to work, DUA issued approximately $22,895 on the A.R. UI claim. A.R. first requested these benefits be issued on a Bank of America debit card, but after one payment requested the monies be deposited into a Bancorp Bank checking account ending in 7073.

Criminal History in Victim's Name

47. The individual posing as A.R.H was arrested in the name of the victim, A.R.H., on

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[8] The UI application identifies additional prior employment in Massachusetts to include, but not limited to, being a personal care aide and a production worker at other employers.

[9] Weekly certifications on this claim were submitted electronical via the MA UI Online portal on or about August 2, 2020 to on or about September 5, 2021.

July 1, 2014 in Lowell, MA for Distribution of a Class A Substance (Heroin). This charge was dismissed on February 3, 2015.

Victim Interview

48. On February 27, 2026, the individual I believe to be the real A.R.H. and his father (A.R.H.'s father) were each interviewed separately by telephone by an agent with whom I am working on this investigation. A.R.H.'s father explained he has lived in Lawrence, MA since 2003 and provided his date of birth: xx-xx-1962. A.R.H.'s father stated A.R.H. lived in Lawrence, MA around 2014 but he now resides in Puerto Rico. He stated A.R.H. was a victim of identity theft and recalled an issue A.R.H. had at the Lawrence, MA RMV where he was almost arrested. A.R.H.'s father stated A.R.H. also had issues with his taxes.

49. Later that same day A.R.H. was interviewed. A.R.H. confirmed his date of birth is xx-xx-1985 and his SSN is xxx-xx-9489, and he provided a current address in Puerto Rico. A.R.H. stated he moved to Lawrence, MA when he was approximately 14 years old and also lived in New Bedford, MA for a short time before returning to Puerto Rico in 2018. A.R.H. recalled receiving food stamps in MA.

50. A.R.H. recalled that in around 2004 or 2005 he went to the MA RMV in Lawrence and was told that someone else was using his identity and that he was unable to obtain a driver's license. He stated that federal agents later showed up at his house in Lawrence, MA and confronted him about the RMV fraud. A.R.H. stated he was almost arrested.

51. A.R.H. explained that his credit in Puerto Rico has been negatively impacted due to identity theft issues, preventing him from purchasing a house or car and resulting in denial of all types of loans. He stated that he hopes to resolve these matters, as he has been attempting to do so for many years.

Imposter's True Identity

52. As explained below, investigators have confirmed that the fingerprints obtained from the individual using the A.R.H. identity were made by the same individual as the fingerprints of a national and citizen from the Dominican Republic, Arvaro Alberto Montero Diaz.

53. According to the Dominican Republic Cedula database, Montero Diaz is a national and citizen of the Dominican Republic with a date of birth xx-xx-1985, and a Cedula bearing number xxx-xxxx053-3. The Cedula record includes fingerprint impressions and the image of Montero Diaz below.

Arvaro Alberto Montero Diaz - Dominican Republic Cedula Identification Photo

54. When Montero Diaz, using the A.R.H. identity, was arrested by Lowell Police on or about July 1, 2014, they obtained his fingerprint impressions. These were submitted to the Federal Bureau of Investigations ("FBI").

55. The HSI Forensic Laboratory performed a fingerprint examination comparing the fingerprints from Montero Diaz's Cedula and the FBI fingerprint card obtained as a result of Montero Diaz's arrest by Lowell Police. The laboratory determined that both sets of fingerprints were made by the same individual.

56. Based on the foregoing information, I believe the imposter's true identity is Arvaro Alberto Montero Diaz, citizen and national of the Dominican Republic, rather than A.L.R.H.,

whom he claimed to be in seeking Massachusetts SNAP benefits, and in obtaining CARES Act unemployment benefits (PUA & UI).

Conclusion

57. Based on the foregoing, I submit that there is probable cause to believe that:

a. between February 2021 through June 2025, Arvaro Montero Diaz, posing as A.R.H., knowingly acquired through fraudulent means $12,525 in Massachusetts SNAP benefits, in violation of 7 U.S.C. § 2024(b);

b. between August 4, 2020 and on or about September 8, 2021, Arvaro Montero Diaz, posing as A.R.H., devised a scheme to defraud, and for the purpose of executing such scheme did cause to be delivered any matter by the Postal Service, in violation of 18 U.S.C. §1343, and

c. Arvaro Montero Diaz, posing as A.R.H., did, during and in relation to the scheme to defraud, knowingly use, without lawful authority, a means of identification of another person, in violation of 18 U.S.C. §1028A.

Sworn to under the pains and penalties of perjury,

Christina Rosen
Special Agent Christina Rosen
U.S. Department of Labor- OIG

Mar 6, 2026

SWORN before me telephonically pursuant to Fed. R. Crim. P. 4.1 this ___ day of March, 2026.

Judith G. Dein
HONORABLE JUDITH G. DEIN
UNITED STATES MAGISTRATE JUDGE