



## ATTORNEY GENERAL OF TEXAS

G R E G A B B O T T

**To:** Buddy Garcia, Deputy Secretary of State and Border Commerce Coordinator  
**From:** Office of the Attorney General of Texas  
**Date:** October 24, 2006  
**Subject:** Overview of Agency Efforts to Better Serve Texas' Border Communities

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One of Attorney General Abbott's stated priorities when he took office in 2002 was the protection of Hispanics, particularly along the Texas-Mexico border. Numerous divisions at the Office of the Attorney General (OAG) support Attorney General Abbott's ongoing commitment to better serving these communities in Texas by centering attention on three main objectives: enforcement efforts, partnership initiatives, and public education and outreach.

### *Enforcement Efforts*

Attorney General Abbott has pursued a broad range of enforcement actions to protect the nearly six million Hispanics in Texas, particularly in the areas of housing, predatory lending, healthcare, and legal services, among others. He has been recognized by several groups, including the National Hispanic Caucus of State Legislators, formerly led by Texas Senator Leticia Van de Putte, and the Hispanic Alliance for Progress, for his vigorous efforts in fighting fraud and predatory business practices that harm Hispanic families.

Housing scams against the Hispanic community have been a specific area of enforcement under the Abbott administration. Along the border and throughout Texas, new trends are targeting Hispanics wanting to achieve the dream of home ownership. Housing scams and predatory lending practices, particularly bogus refinancing offers and "mortgage acceleration" schemes, have moved from the rural regions back to the cities as many Hispanic families move further into the interior of the state seeking opportunities.

Attorney General Abbott has successfully prosecuted housing scams targeting thousands of Hispanics in Dallas, Austin and Houston and filed suit against three unlicensed mortgage brokers in El Paso who pocketed substantial amounts of money without providing promised lines of credit. The OAG also halted and obtained remedy for Hispanic consumers regarding the sale of hundreds of manufactured homes in South Texas by unlicensed sellers.

Additional enforcement actions taken by Attorney General Abbott to stop consumer abuses against Hispanics along the border and elsewhere include:

- Halting bogus credit card offers marketed nationally to Hispanics.
- Stopping several home ownership scams in which Hispanic families paid thousands of dollars to purchase homes they later found out were condemned or had defective titles.
- Halting unproven medical products exclusively marketed to Spanish-speaking consumers.

- Halting deceptive door-to-door scams for high-priced goods taking place in primarily Hispanic neighborhoods.

By working closely with county officials, the OAG has also assisted in the enforcement of the state's platting laws and model subdivision rules to prevent the creation of new, sprawling colonias, like those that arose in the 1980s and 1990s. Upon referrals from local officials, the OAG can take legal action for failure to provide infrastructure and other code violations. Since Attorney General Abbott took office in 2002, the OAG has received a small number of referrals from county officials, which suggests that legislation passed in the mid-1990s to prevent colonias is working. All referrals the agency has received from local officials about unlawful subdivisions have been aggressively pursued to bring relief to the residents living in those communities.

In Cameron County, for example, the OAG worked closely with the county's engineering department to develop and prosecute a case against a developer who failed to install or provide water and wastewater facilities to a subdivision he created without obtaining the required plat approval from the Cameron County Commissioners Court. County officials found that the lots lacked sewage facilities and were served by contaminated wells that lacked any sort of treatment facilities. Acting on a referral from the county, Attorney General Abbott's prosecutors filed a lawsuit against the developer and have aggressively pursued the ongoing case, even bringing a contempt of court motion against the defendant that could result in possible jail time if the violations are not addressed.

In 2005, Attorney General Abbott also embarked upon a series of enforcement actions against a South Texas water supply corporation, which had a longstanding record of abusing thousands of families in the Rio Grande Valley. Thanks to the work of the OAG and other agencies, a receiver is currently overseeing operations in this ongoing case to ensure that affected water customers are being treated fairly.

In addition to legal actions for failure to provide infrastructure and other code violations, the OAG extends ongoing resources to local officials and government agencies tasked with improving conditions in these developments. Specifically, the OAG maintains an online database providing detailed geographic and demographic information on over 1,000 colonias, allowing for the improved delivery of services by local, state and federal government agencies and other organizations. This monitoring tool has also been important in preventing new colonias from taking hold along the border.

Attorney General Abbott is also a national leader in stopping unauthorized legal services operations and notary public scams, many of which operated brazenly along the border. In 1999, the Texas Legislature passed a statute to prevent the exploitation of a common misunderstanding between the term "notary" and the similar-sounding Spanish term "notario," which is commonly used in Latin America to refer to highly specialized attorneys. Scam artists have long taken advantage of the confusion between the terms and set up operations that charged consumers thousands of dollars each to prepare legal documents, despite not being licensed as attorneys. In addition to substantial financial losses, thousands of consumers faced serious legal consequences when they trusted these unauthorized legal service providers. Enforcement action against this unlawful practice was brought by Attorney General Abbott in 2003 in cooperation with the district attorneys in Cameron and

Hidalgo counties to shut down several long-running, unqualified legal service operations in those jurisdictions.

Since then, coupled with enforcement actions under the Texas Deceptive Trade and Practices Act, Attorney General Abbott's unprecedented efforts have halted nearly 40 unauthorized legal service operations that not only took in thousands of dollars from individual customers, but often threatened to tear families apart when incompetent scam artists failed to do promised legal work. Along the border, Attorney General Abbott has halted such operations in Cameron, Hidalgo, Maverick, Starr and El Paso counties. Many others have been shut down in Dallas, Fort Worth, Houston, Austin, Midland, Lubbock and San Antonio.

### ***Partnership Initiatives***

Cooperation from legislative bodies, government agencies and other entities in the United States and Mexico is crucial to the efforts of the Texas Attorney General's office in stopping abuses of Hispanic families along the border.

In 2005, Attorney General Abbott hosted "Fraude," the first-ever national forum to address multi-state and international efforts to fight fraud against Hispanic consumers across the country. Attendees and participants included law enforcement, government agencies, legislators, researchers, and non-profit and community advocates. The groups worked together to formulate new strategies for detecting and preventing fraud against Hispanics and to determine effective investigation and enforcement tools.

Important partnerships with counterparts and other law enforcement in Mexico have been integral to addressing various issues of concern along the border. Attorney General Abbott has personally participated in numerous conferences and meetings among the Texas-Mexico state attorneys general, Texas Governor Rick Perry, and top officials in Mexico to improve law enforcement cooperation and address concerns of increased violence along the border.

Similarly, OAG personnel have worked effectively with their counterparts in Mexico on various initiatives, including:

- Securing the arrest and return of various dangerous fugitives from justice, including numerous child predators.
- Working successfully with state, federal and Mexican officials to halt many operations connected to drug trafficking and illegal "document mills."
- Joining forces with consumer protection officials in Mexico in launching a binational effort to ensure that consumers know their rights when sending money to loved ones abroad.

Attorney General Abbott has also partnered with other non-profit and community groups, including faith-based organizations, Latin American consulates, support organizations, and advocacy groups such as the National Council of La Raza, Texas Appleseed and the Hispanic Pew Center, whose

ongoing research are important resources for the agency as it continues to provide its services along the Texas-Mexico border and elsewhere.

### ***Public Education and Outreach***

The cornerstone of the Attorney General's service to border communities in Texas is the development of one of the largest and most distinguished Spanish-language outreach and public information initiatives by any government agency in the United States.

Information is readily accessible to Spanish-speakers who either call the agency's hotline (1-800-252-8011) or visit the agency's interactive website ([www.oag.state.tx.us](http://www.oag.state.tx.us)), which provides thousands of pages of information on all agency functions, including consumer protection, child support, crime victim services, open government, Texas-Mexico border issues, protection of seniors, cyber crimes, and online safety tips and other resources for children and teens. This information is further disseminated to the public through the many organizations with which the OAG has partnered.

In particular, Attorney General Abbott has worked to ensure that crime victims services reach all Texans, regardless of the language they speak. Attorney General Abbott has worked closely with advocacy groups, like the Texas Council on Family Violence, to raise awareness and ensure access to legal services for Spanish-speaking victims of crime. Furthermore, the OAG helped fund the first-ever in depth research of the incidence of domestic violence among Hispanic women, which was conducted by TCFV in 2003 and unveiled in McAllen. In 2003, he partnered with the Texas Equal Access to Justice Foundation in introducing a protective order kit designed to enable victims of domestic violence to better access the court system by filing their own applications for protective orders. The OAG's Crime Victims Compensation Fund makes all of its publications and forms available in Spanish and English, and has experienced bilingual staff ready to help victims and family members who call to request assistance.

Attorney General Abbott's office has also provided extensive assistance to his counterparts in other states in the development of effective outreach tools to assist Spanish-speaking constituents throughout the nation. This year, Attorney General Abbott's peers with the Conference of Western Attorneys General, for example, formally recognized his work in the development of one of the most thorough Spanish-language Web sites offered by a government agency.

Attorney General Abbott's commitment to freedom of information has also been an inspiration to Mexican officials. His office has provided numerous Mexican state legislators practical information on how the Texas Public Information Act is applied and enforced, and this outreach has been an important resource to many Mexican state governments as they developed their own policies over the last four years.

For additional information on the Attorney General Abbott's efforts to protect and serve Hispanic communities on the border and throughout Texas, please contact Paco Felici, Deputy Communications Director, at (512) 463-4501 or by e-mail at [pf@oag.state.tx.us](mailto:pf@oag.state.tx.us).