



OFFICE OF THE
DISTRICT ATTORNEY
ORANGE COUNTY, CALIFORNIA
TODD SPITZER

FOR IMMEDIATE RELEASE

PRESS RELEASE

Date: June 14, 2024
Case #: 24HF1156

Greg Risling
Public Information and Affairs Administrator
Office: 714-347-8435, Cell: 657-303-5239
media@ocdapa.org

Kimberly Edds
Director of Public Affairs
Office: 714-347-8405, Cell: 714-504-1917
media@ocdapa.org

Chilean Nationals in the United States on ESTA Visa Waiver Charged in Head-on Collision in Wrong Way Pursuit on Freeway After Burglarizing San Juan Capistrano Home

SANTA ANA, Calif. – Two Chilean nationals in the United States on a visa waiver from the Department of Homeland Security have been charged in connection with a head-on collision while driving the wrong way on the freeway while being pursued by law enforcement after burglarizing a San Juan Capistrano home.

Jorge Navarretecorvalan, 32, and Alejandro Tobarfuentes, 32, were arrested on Saturday, June 8, 2024 after crashing their Mini Cooper head-on into a Toyota Camry while driving northbound in the southbound lanes after narrowly missing hitting an Orange County Sheriff's deputy who had tried to pull their vehicle over. The driver suffered serious injuries.

Navarretecorvalan has been charged with one felony count of first-degree burglary, one felony count of evading a peace officer while driving opposite of traffic, one felony count of driving the wrong way on a divided highway causing injury or death, and one felony count of possession of a forged identification card. Tobarfuentes has been charged with one felony count of first-degree burglary, one felony count of possession of a forged identification card, and one misdemeanor count of possession of burglary tools.

Navarretecorvalan faces a maximum sentence of eight years in state prison while Tobarfuentes faces a maximum sentence of six years and eight months in state prison.

Just before the head on collision Tobarfuentes and Navarretecorvalan are accused of working together to break into a San Juan Capistrano home to steal a safe, designer handbags, and jewelry. When the two men were arrested, they identified themselves using Venezuelan identification cards which law enforcement determined were fake and they were in fact Chilean nationals.

Tobarfuentes and Navarretecorvalan entered the United States through the Electronic System for Travel Authorization System (ESTA) Visa Waiver Program which is administered through the U.S. Department of Homeland Security. For \$21, applicants from countries which participate in the ESTA program can be granted

unlimited access to the United States, up to 90 days at a time, for a two-year period. Applicants are granted access within 72 hours of applying for an ESTA visa waiver. Chile refuses to provide the criminal background checks for their residents as required by the ESTA program requirements. In 2022, 350,000 Chilean nationals entered the United States through the ESTA visa waiver program without background checks.

In May 2023, Orange County District Attorney Todd Spitzer began sounding the alarm regarding the loophole in the ESTA visa program which continues to be exploited by organized crime rings in Chile to enter the United States to commit residential burglaries throughout the United States.

“Department of Homeland Security Secretary Alejandro Mayorkas has the power to immediately and unilaterally suspend Chile from the ESTA visa waiver program until it complies with the requirement to provide criminal background checks for their citizens,” said Orange County District Attorney Todd Spitzer. “Instead of holding Chile accountable and preventing a direct pipeline for organized crime to shuttle thieves into the United States, Secretary Mayorkas’ inaction is resulting in Americans continuing to be terrorized by criminals who are stalking them in their homes and waiting for the perfect moment to break their back sliders and steal their most prized possessions. With every pane of shattered glass, they are shattering another’s family’s sense of security and they are putting everyone on the road at risk as they will do anything and everything to escape from law enforcement. This has to stop – and it has to stop today.”

Deputy District Attorney Alex Shaaban of the Gangs Unit is prosecuting this case.

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