

InForum News: Fargo, North Dakota

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Why was a sex offender able to supervise and repeatedly rape a teen at a North Dakota Subway?

JAMESTOWN, N.D. — A lawsuit filed against Subway has raised questions about why a Jamestown store hired a registered sex offender and allowed him to supervise a 17-year-old co-worker before he drugged and raped her multiple times, including at the restaurant.

Attorneys for the teen, who is now an adult, filed the lawsuit in North Dakota U.S. District Court last week against Subway Worldwide, which represents the sandwich restaurant chain and several of its associated companies. The civil suit also names North Dakota franchisees GRB Investments, GRB Subway Properties and Midwest Subway Development, all based in Fargo.

The woman, identified by initials, is seeking \$50 million in damages. The lawsuit comes roughly six months after Zeferino Carlos Rangel, 53, was sentenced to 25 years in prison for giving the girl drugs and repeatedly sexually assaulting her.

“Our client has suffered severe physical and mental trauma and has been just left to pick up the pieces,” the woman’s attorney, [Brittany Salyers](#), told The Forum this week.

A criminal complaint said Rangel gave the girl cocaine and meth, and when she couldn’t afford it, he forced her to perform sexual acts on him more than 20 times at the 1921 Eighth Ave. SW Subway in Jamestown and elsewhere.

Rangel, who was registered as a high-risk sex offender at the time of the assaults, was allowed to supervise teenagers at Subway, often alone, according to the lawsuit’s civil complaint.

The Subway job was the woman’s first job, the civil complaint said.

“We filed the lawsuit to hold the Subway defendants accountable for the harm caused to her specifically,” Salyers said. “We hope that our filing the lawsuit will help protect all Subway employees and the public at large.”

The defendants had not responded to the lawsuit in court filings as of Friday, March 1. Attempts to reach the franchisees were unsuccessful.

In a statement to The Forum, a corporate Subway spokesperson said the company was extremely concerned about the allegations in the lawsuit and takes them seriously.

“While we cannot comment on pending litigation, these claims are extremely disturbing and do not represent our brand or values,” Subway said.

Subway hired Rangel in 2020, according to the civil complaint. The lawsuit didn’t say who hired him.

The Jamestown Police Department issued a statement shortly before Rangel was hired that he was a high-risk sex offender.

Rangel pleaded guilty in 2012 in Pembina County District Court to charges that said he sexually assaulted a 19-year-old when she was unconscious in 2010. He also forced a 14-year-old boy and 8-year-old girl to perform oral sex on him several times in the late 2000s, according to the North Dakota Sex Offender Registry.

He was sentenced to 12 years in prison with two years suspended. Court records indicate he was released from prison in April 2020.

Once out of prison, he was ordered to serve 10 years of supervised probation. Conditions of his probation included not violating any laws and not being in contact with children.

The Jamestown Subway put Rangel in charge of teenagers after hiring him, the civil complaint.

The lawsuit claimed the defendants in the civil case should have been or were aware that Rangel was a sex offender.

MariAnn Letcher, the general manager for the Jamestown Subway on Eighth Avenue, hired the girl involved in the civil case in June 2022. The girl told Letcher and other Subway employees she was 17 years old.

Rangel was 52 years old at the time and was the girl’s shift supervisor. Letcher described Rangel as “a star employee,” the civil complaint said.

Letcher was frequently absent from work and sometimes asked Rangel and other employees to clock her in and out when she wasn't there, the civil suit said.

Rangel and the girl often worked alone together, the civil complaint said. Sometimes two other sex offenders worked with Rangel and the girl, the complaint said.

A message left for Letcher, who still works at the Subway in Jamestown, was not returned by publishing time.

Rangel told the girl to call him "Uncle Carlos," which she did, according to the civil complaint. At one point, Rangel told the girl he noticed that she looked tired, the civil complaint said.

The girl told him she struggled to stay awake and focus for school work during the summer, according to court documents. Rangel said he had something to help her, took her to the Subway bathroom and had her inhale white powder through her nose, the complaint said.

The girl didn't know that the white powder was cocaine, but she felt pressured to take it, the civil complaint said.

Rangel later gave her crystal meth, the civil complaint said.

Eventually, the girl, who became addicted, said she couldn't afford the drugs, so Rangel asked for other things, according to the criminal complaint. That included giving him rides to work — Rangel's driver's license was suspended — and sexual acts over a period of several months, the civil complaint said.

Court documents said Rangel sexually abused, assaulted and raped the girl multiple times, including in the Subway bathroom.

He enticed her with possible career advancements at Subway and gave her "free" Subway food, which she was already entitled to as an employee, court documents said. Rangel also gave free Subway food to drug dealers as part of drug exchanges, court documents said.

Rangel threatened to fire the girl and hurt or kill her family if she didn't continue to give him sexual favors, the civil complaint said.

The girl asked Letcher to transfer her to another store because she felt uncomfortable working with Rangel, but that never happened, the complaint said.

At one point, the girl became pregnant, the complaint said. Rangel gave the girl alcohol and large amounts of drugs, including meth and fentanyl, to successfully force an abortion, the complaint said.

"This almost killed (the girl)," the complaint said.

The girl's mother asked Letcher why her daughter was working so late, but Letcher declined to tell the mother the girl's schedule, the complaint said.

The sexual abuse and drugs impacted the girl's personal life, the complaint said. Her mother kicked her out of her home because the girl wouldn't stop using drugs, the complaint said. The girl was unable to stop due to her addiction, the complaint said.

The girl told school officials about the sexual abuse, who then reported it to law enforcement, the complaint said. Rangel was arrested Nov. 16, 2022, still wearing his Subway uniform.

The girl's school attendance also dwindled while working at Subway, the complaint said. She was eventually expelled from school after missing too many classes, including for a court hearing, the complaint said.

Rangel pleaded guilty to patronizing a minor for commercial sexual activity, corruption or solicitation of a minor, possessing child sex abuse materials, promoting a sexual performance by a minor and being a felon in possession of a firearm. He filed a motion to withdraw his guilty plea in September, a month after his sentencing hearing.

That motion was denied, and he has appealed his case to the North Dakota Supreme Court, claiming his sentence was significantly harsh.

The defendants in the civil case held the girl's check because she failed to turn in her Subway uniform, according to the complaint. The uniform was in police custody as evidence of Rangel's sex crimes against the teen, the complaint said.

"Subway presents itself as a healthy, wholesome, safe place to eat and work," Salyers said in a statement. "But the complaint alleges that this is hardly the case.

The defendants didn't provide the teen with training on workplace violence, sexual harassment, assault or trafficking, the lawsuit said. An employee training manual says, "If you do happen to have an issue with the manager or with a particular

employee, you must try to get along with them in order to maintain a pleasant atmosphere," according to the civil complaint.

Subway has policies on preventing and reporting sexual harassment and assault, but the company has "intentionally minimized the role of such policies in their franchise training," the lawsuit said in calling the policies "inadequate and ineffective." Training for managers and supervisors focuses on sandwich preparation, restaurant maintenance and general operations, with no time dedicated to hiring or employment practices, the lawsuit said.

"In short, Subway puts profits above people, protecting pedophiles, rapists and sex traffickers so long as they keep making and selling sandwiches," the lawsuit said.

The lawsuit also listed several reports of supervisors or employees sexually assaulting co-workers. The most famous case was that of Subway spokesman Jared Fogle, who pleaded guilty to child sex crimes in 2015.

Businesses in North Dakota can deny a registered sex offender employment because of their criminal history. Law enforcement must notify the public when a sex offender moves to their area, but that requirement doesn't extend to businesses in North Dakota.

The harm done to the teen was easily preventable, Salyers said. Information on Rangel's criminal history was available online to the public and would have taken little effort to find, she said.

"No matter what the state law is when it comes to hiring sex offenders, an employer does have a duty to protect its employees from risks of harm that the employer knows of or should know of," Salyers said.

Children shouldn't have to worry about protecting themselves when working for an employer, she said. The adults should be the ones to keep them safe, she added.

"In this case, what could this teenager expect from her employer?" Salyers said. "Very sadly, it was nothing."

She acknowledged a case as outrageous as this is rare, but it's stories like this that could make teenagers less likely to trust employers unless there is some accountability, she noted.

"Unless the responsible entities are held accountable, things will never change," Salyers said.