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## Immigration raid at Swift & Co.

# Managers who hire undocumented are seldom punished as workers are

## Fines for hiring illegal workers have all but ceased, data show

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Homeland Security chiefs hailed last week's raids on Swift & Co. meatpacking plants as examples of newly aggressive work site enforcement against companies that rely on illegal foreign labor.

But the agents who stormed Swift facilities in six states arrested mostly workers, leaving the managers who hired them untouched. That's increasingly the pattern in the government's new approach: targeting workers without holding companies themselves accountable, according to interviews with experts and government data.

Fines against employers for hiring illegal workers have all but ceased, data show, although authorities recently prosecuted a handful of managers and executives successfully.

Until Congress demands a worker status-verification system and enforcement that can hold companies accountable, critics contend, millions of job-seeking illegal immigrants can't be stopped.

"It has become apparent how employers are complicit in this illegal-immigration picture," said Doris Meissner, chief of the Immigration and Naturalization Service from 1993 to 2000 and now a senior fellow at the Migration Policy Institute.

"In a case like [Swift] where you are just arresting the workers, it demonstrates how inadequate current employer enforcement really is in reducing the availability of jobs. The plant is up and running again," said Meissner.

No charges had been filed against Swift officials as of Friday in the Tuesday crackdown on alleged identity theft crimes involving suspected illegal workers at slaughterhouses in Colorado, Iowa, Minnesota, Nebraska, Texas and Utah.

Some 1,300 workers were arrested, more than 100 for investigation of possible criminal offenses. Immigration and Customs Enforcement agents this weekend continued to question the detainees.

The raids brought total work site enforcement arrests nationwide to 4,383 this year - more than triple the 1,292 last year.

Homeland Security Secretary Michael Chertoff declared "a new record this past year for work site enforcement," noting that 716 of this year's arrests were for investigation of criminal immigration violations.

Yet the number of employers fined each year for hiring illegal workers has plummeted from 1,023 in 1998 to only three in 2004, the last year for which data was available.

"We're not really doing fines anymore," ICE spokesman Marc Raimondi said in Washington.

Fines against companies "were almost seen as a cost of doing business and were not seen as effective. We prefer to conduct criminal investigations," Raimondi said. "We're having unprecedented successes in conducting work site enforcement investigations."

On Thursday, two executives of a California fence-building company pleaded guilty to hiring unauthorized workers.

In October, the president and two executives of two temporary labor companies pleaded guilty in Ohio to conspiring to provide hundreds of illegal workers to an air cargo firm.

In July, officials at Kentucky-based corporations pleaded guilty to immigration and money-laundering charges in an operation that supplied illegal workers to Holiday Inn, Days Inn and other hotels in Kentucky.

Also in July, Fischer Homes subcontractors pleaded guilty to harboring illegal immigrants for construction work in Kentucky.

ICE officials have filed charges against seven officials of Houston-based IFCO Systems North America, which supplied wooden pallets. ICE agents arrested 1,187 IFCO workers nationwide after a yearlong probe that found more than half of IFCO's workers in 2005 had invalid or mismatched Social Security numbers.

Immigration experts emphasize that jobs are the magnet that draw illegal workers from low-income countries into the United States.

"Based on this case and what we know, [ICE agents] aren't going after employers," said Meissner, the former INS chief. "They're going after the workers. Let's see whether, in a couple months, something comes up with this employer," she said.

"Employers [who use illegal workers] should be punished," but holding them accountable fairly requires a better status verification and ID system, she said.

"If you are really going to have employer enforcement work, everybody who applies for work, including U.S. citizens, has to have an ID with biometric information. I believe most employers want a reliable system - on the condition that they also have access to labor."