



U.S. Immigration
and Customs
Enforcement

NO MORE SLAPS ON WRIST FOR WORK-SITE VIOLATIONS

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Last week, the U.S. Department of Homeland Security's Immigration and Customs Enforcement and the Department of Justice announced the filing of immigration-related criminal charges against several roofing companies in Missouri.

These separate and unrelated cases in the St. Louis and Kansas City areas stemmed from investigations into possible human trafficking and suspect financial transactions, respectively. They resulted in charges against not only illegal alien workers, but also the companies, owners and managers who employed them. These indictments demonstrate that no one is above the law.

Most employers have no interest in breaking the law.

For employers who violate the law, Sen. Claire McCaskill wants to pursue them (The Star, June 14: "Go after those who hire illegal immigrants,") by "following the money." Last week's indictments provide a textbook example of our doing exactly that.

Our current enforcement efforts far surpass the practices of the former Immigration and Naturalization Service, which involved lengthy paper reviews and nominal fines. These fines were assessed under an outdated structure, were subject to substantial legal wrangling and ended up being nothing more than a slap on the wrist.

The focus of the INS was simply not on criminal violations. In 2002, its last full year, it brought only 25 criminal cases in work-site investigations. Only 485 illegal workers were arrested and processed for deportation in these cases.

Today is different.

Arrests resulting from work-site enforcement actions have risen substantially to 716 in 2006. Administrative arrests have increased dramatically to 3,667 in 2006. And using our asset forfeiture authorities, we've already seized \$29 million from corrupt employers this year. Compare that with the only \$72,585 collected in 2002 by the former INS using the administrative fine process.

While these criminal investigations are complex and can take time, this approach makes penalties more than simply the cost of doing business. Violators face prosecution for federal crimes that include hiring illegal aliens, harboring illegal aliens, identity or document fraud and Social Security fraud. They face the very real possibility of consequences to their freedom as well as to their finances.

Earlier this month in Oregon, several officials of American Staffing Resources Inc., which supplied workers to a fruit and vegetable processing plant, were arrested. Last month in Illinois, two former

managers of Quality Service Integrity Inc., a contractual cleaning and sanitation service company, were charged with harboring illegal aliens. In late April, the former owner of 10 Dunkin' Donuts shops in Connecticut was sentenced to 10 months in jail and paid a \$1 million judgment.

The list goes on and on.

All of the defendants are presumed innocent unless proven guilty, but the filing of these charges demonstrates that the government is serious about enforcing the law against those who violate it.

We want to do even better. Proposed new tools, such as mandatory employment verification by all employers through the Electronic Employment Verification System and increased civil penalties for employers who keep violating the law, would help.

ICE

U.S. Immigration and Customs Enforcement (ICE) was established in March 2003 as the largest investigative arm of the Department of Homeland Security. ICE is comprised of four integrated divisions that form a 21st century law enforcement agency with broad responsibilities for a number of key homeland security priorities.