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Illegal Workers Swept From Jobs in 'Silent Raids'

By JULIA PRESTON

BREWSTER, Wash. — The Obama administration has replaced [immigration](#) raids at factories and farms with a quieter enforcement strategy: sending federal agents to scour companies' records for illegal immigrant workers.

While the sweeps of the past commonly led to the deportation of such workers, the "silent raids," as employers call the audits, usually result in the workers being fired, but in many cases they are not deported.

Over the past year, [Immigration and Customs Enforcement](#) has conducted audits of employee files at more than 2,900 companies. The agency has levied a record \$3 million in civil fines so far this year on businesses that hired unauthorized immigrants, according to official figures. Thousands of those workers have been fired, immigrant groups estimate.

Employers say the audits reach more companies than the work-site roundups of the administration of President [George W. Bush](#). The audits force businesses to fire every suspected illegal immigrant on the payroll— not just those who happened to be on duty at the time of a raid — and make it much harder to hire other unauthorized workers as replacements. Auditing is "a far more effective enforcement tool,"

said Mike Gempler, executive director of the Washington Growers League, which includes many worried fruit growers.

Immigration inspectors who pored over the records of one of those growers, Gebbers Farms, found evidence that more than 500 of its workers, mostly immigrants from Mexico, were in the country illegally. In December, Gebbers Farms, based in this Washington orchard town, fired the workers.

“Instead of hundreds of agents going after one company, now one agent can go after hundreds of companies,” said Mark K. Reed, president of Border Management Strategies, a consulting firm in Tucson that advises companies across the country on immigration law. “And there is no drama, no trauma, no families being torn apart, no handcuffs.”

President Obama, in a speech last week, explained a two-step immigration policy. He promised tough enforcement against illegal immigration, in workplaces and at the border, saying it would prepare the way for a legislative overhaul to give legal status to millions of illegal immigrants already in the country. White House officials say the enforcement is under way, but they acknowledge the overhaul is unlikely to happen this year.

In another shift, the immigration agency has moved away from bringing criminal charges against immigrant workers who lack legal status but have otherwise clean records.

Republican lawmakers say Mr. Obama is talking tough, but in practice is lightening up.

“Even if discovered, illegal aliens are allowed to walk free and seek employment elsewhere” said Senator **Jeff Sessions** of Alabama, the senior Republican on the Judiciary Committee. “This lax approach is particularly troubling,” he said, “at a time when so many American citizens are struggling to find jobs.”

Employers say the Obama administration is leaving them short of labor for some low-wage work, conducting silent raids but offering no new legal immigrant laborers in occupations, like farm work, that Americans continue to shun despite the **recession**. Federal labor officials estimate that more than

60 percent of farm workers in the United States are illegal immigrants.

John Morton, the head of the immigration agency, known as ICE, said the goal of the audits is to create “a culture of compliance” among employers, so that verifying new hires would be as routine as paying taxes. ICE leaves it up to employers to fire workers whose documents cannot be validated. But an employer who fails to do so risks prosecution.

ICE is looking primarily for “egregious employers” who commit both labor abuses and immigration violations, Mr. Morton said, and the agency is ramping up penalties against them.

In April, Michel Malecot, the chef of a popular bakery in San Diego, was indicted on 12 criminal counts of harboring illegal immigrants. The government is seeking to seize his bakery. He has pleaded not guilty. In Maryland, the owner of two restaurants, George Anagnostou, pleaded guilty last month to criminal charges of harboring at least 24 illegal immigrants. He agreed to forfeit more than \$734,000.

But the firings at Gebbers Farms shocked this village of orchard laborers (population 2,100) by the Columbia River among serene brown foothills in eastern Washington. Six months after the firings, the silence still prevails, with both the company and the illegal immigrants reluctant to discuss them.

Farm worker advocates said the family-owned company, one of the biggest apple growers in the country, did not fit Mr. Morton’s description of an exploiter.

“The general reputation for Gebbers Farms was that they were doing right by their employees,” said Matt Adams, legal director of the Northwest Immigrant Rights Project.

The Gebbers packing house is the center of this company town, amid more than 5,000 acres of well-tended orchards, where the lingua franca is Spanish. Officials said public school enrollment is more than 90 percent Hispanic.

Throughout last year, ICE auditors examined forms known as I-9’s, which all new hires in the country must fill out. ICE then advised Gebbers Farms of [Social Security](#) and immigration numbers that did

not check out with federal databases.

Just before Christmas, managers summoned the workers in groups. In often emotional exchanges, managers immediately fired those without valid documents.

“No comment,” said Jay Johnson, a lawyer for Gebbers Farms, expressing the company’s only statement.

Many workers lived in houses they rented from the company; they were given three months to move out. In Brewster, truck payments stopped, televisions were returned, mobile homes were sold, mortgages defaulted.

Many immigrants purchased new false documents and went looking for jobs in more distant orchards, former Gebbers Farms workers said. But the word is out among growers in the region to avoid hiring immigrants from the company because ICE knows they are unauthorized.

“Many people are still crying because this is really hard,” said M. García, 41, a former Gebbers packing house worker who has been out of a job since January.

There was no wave of deportations and few families left on their own for Mexico. “They are saying, what’s going to happen to their kids?” said Mario Camacho, an administrator in the Brewster school district. “To those kids, this is their country.”

After the firings, Gebbers Farms advertised hundreds of jobs for orchard workers. But there were few takers in the state.

“Show me one American —just one — climbing a picker’s ladder,” said María Cervantes, 33, a former Gebbers Farms worker from Mexico who gave her name because she was recently approved as a legal immigrant.

After completing a federally mandated local labor search, Gebbers Farms applied to the federal guest worker program to import about 1,200 legal temporary workers — most from Mexico. The guest

workers, who can stay for up to six months, also included about 300 from Jamaica.

“They are bringing people from outside,” Ms. Cervantes said, perplexed. “What will happen to those of us who are already here?”

Immigrant advocates said they are surprised and frustrated with Mr. Obama, after seeing an increase in enforcement activity since he took office. “It would be easier to fight if it was a big raid,” said Pramila Jayapal, executive director of OneAmerica, a group in Seattle. “But this is happening everywhere and often.”

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