

# **July-August 2007 U.S. Immigration Alert!**

**A Monthly Newsletter from National Immigrant Solidarity Network**  
**July-August, 2007 Issue, Volume 23**  
**No Immigrant Bashing! Support Immigrant Rights!**  
**<http://www.ImmigrantSolidarity.org>**



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## **What's Next After the Failed Congressional Immigrant Vote?**

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## **6/28: Senate Killed the Immigration Bill, Statements from National Immigrant Solidarity Network**

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**National Immigrant Solidarity Network**

On June 28<sup>th</sup> the Senate killed the immigration bill by 46 to 53 vote, meaning that the issue is most likely dead until after the 2008 elections. It's an unfortunate but expected outcome for an immigrant bill that almost no one supports. The proposal is unacceptable and unreasonable, most community-based organizations had against the bill while only few "pro-immigrant" Democratic and President Bush will supports it, at end--also ironically, we helped the right-wing anti-immigrant groups to claim "credits" for their work on defeating the bill.

This is NOT an "amnesty" bill, this is a bill will continue and even expand the institutional racist and oppressive measures to against the immigrant communities, escalating the militarization of the border, and giving migrants empty and unrealistic promises for path to the citizenship (For the detailed analysis, please go: <http://www.immigrantsolidarity.org/legislation.html>)

Lessons we should learn:

1) The Failure of "Bi-Partisan" Politics: We should NEVER expect "moderate" Republicans--and many Democratic--will cooperate honestly to push for a truly bi-partisan immigrant legislation that will be benefit us. We should also NEVER expect most Democratic leaderships (although they are better then Republicans) will have courage to draft a true immigrant legislation that will be benefit us--just like what happened on the recent Military budget and Iraqi funding bill.

2) Never Accepts "Less Than Perfect": Some bill supporters had been misleading and even threaten to say if we don't accepts the "less then perfect" bill--we'll never get anything. In reality, we cannot supports the bill because it's far worse then "less then perfect." No one should arguing "separation but equal" is the best solution for our survival. We should ask for the best, fight for the best and push for the best!

3) Know Your Friends, Never Say Never: The latest immigrant legislation shows the disconnections between most Congressional leaderships/major organizations, vs. the community-based organizations at the local level. The true people's movement should be bottoms-up from the community, not tops-down from the organization's headquarters by experts and leaders. A true immigrant rights/civil rights/human rights movements should be build based on mutual understanding, trust and honest exchange of ideas, and to build a equal partnerships to work together.

The fight for rights and dignity for all immigrants is a long-term struggle, it won't change only for one legislation--it's a life-long struggle, it need decades--even generations of activists tirelessly fighting before we'll able to achieve our success. Let's all hope from the lessons we learn today, we'll be more wiser and we'll be prevail.

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## July 27 -29 Richmond, VA National Grassroots Immigrant Strategy Conference!

Yesterday We Marched, Today We Organized, Tomorrow We'll Achieve Our Dreams and Goals! Together We'll Build A New National, Broad-Based, Immigrant Rights/Civil Rights Movement!

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Mark your calendar! Please come to attend our 2007 national grassroots immigrant strategy conference at Richmond, VA!

We envision this as a grassroots activist conference of broad-based, multiethnic organizers from African American, Native American, African immigrant, Asian American, Latino/Latina, Arab-Muslim-North African, progressive labor, interfaith, LGBT, student, anti-war/peace and global justice groups from across the country. To meet face-to-face and discuss how to build a new national, broad-based, immigrant rights/civil rights movement, and to set a 6-9 month national strategy for the 2007-2008.

### U.S. Immigration News Briefs

*Immigration News Briefs (INB), a weekly English-language summary of US immigration news, is forwarded out to the email list of the Coalition for the Human Rights of Immigrants (CHRI). E-mail: nicajg@panix.com*

#### 1. CONSTRUCTION RAID IN PENNSYLVANIA

On July 2, local authorities arrested 16 immigrants working at a construction site in Bethlehem Township, Pennsylvania. US Immigration and Customs Enforcement (ICE) agents came and took custody of the workers the same day. Northampton County District Attorney John Morganelli announced the arrests on July 5. The arrested workers were from Brazil, Honduras, Uruguay and Guatemala; they were employed by a framing subcontractor at a construction site for a "Courtyard by Marriott" hotel. Two of the workers apparently had prior deportation orders, said Morganelli, who has been aggressive in pursuing out-of-status immigrants in the county and has often blasted ICE for not taking enforcement seriously.

Morganelli said his office began an investigation June 15 after a complaint was received from the Lehigh Valley Carpenters Union that the workers had illegal documents. Morganelli said half the workers were from J& S construction of Philadelphia and the other half were from Diaz Construction of West Orange, New Jersey. Bethlehem-based Iron Hill Construction Management, the site manager for the construction project, said the workers were provided by Pentel Enterprises Inc. of Burlington, New Jersey. Morganelli said Iron Hill was not charged because the workers did not have false documents with them and there was no way to determine if they had shown such documents to gain employment. [*Express Times (Easton) 7/6/07*]

Last Apr. 2 in Bethlehem, Northampton County authorities arrested nine immigrants as they arrived for work at the Hotel Bethlehem. Seven of the workers were from Bolivia, one was Guatemalan and one was Salvadoran. That raid was prompted by a tip received by the Northampton County District Attorney's Office about workers at the hotel allegedly using false documents. When Morganelli called

ICE to take the workers into custody, he said ICE officials responded by questioning why his office "isn't going out looking for gang members and drug dealers." [*WFMZ.com 4/3/07; Express-Times (Easton) 7/6/07; Lehigh Valley Live 4/2/07*]

#### 2. ICE ARREST LOCKS DOWN CA SCHOOL

On July 5, De La Salle High School in Concord, California, was locked down for 15 minutes while ICE sought to arrest a construction worker on the school grounds. Confusion erupted after two Bay Area Rapid Transit (BART) police officers driving past the school that morning saw a suspicious man with a holstered handgun disappear between two buildings. The BART officers notified school administrators and the Concord police, which sent officers to the school to intercept the mystery gunman. The gunman turned out to be one of four undercover ICE agents seeking to arrest a Mexican immigrant employed by a contractor doing asbestos abatement at the school. According to ICE spokesperson Virginia Kice, the worker had a prior conviction for driving under the influence and had failed to comply with an immigration judge's order to leave the country. Kice said the employer told ICE where to find the worker, but the agents didn't realize it was a school until they arrived, and then they assumed that because it was summer, no students would be around, so they proceeded with the arrest.

Brother Christopher Brady, the school's principal, said more than 200 students were on campus for special classes and a basketball camp. The teens were immediately moved from outside to the school theater, and kept there for about 15 minutes until the lockdown was over. ICE has since assured the school and the Concord police that it will notify them during similar operations in the future, Kice said. [*Contra Costa Times 7/5/07*]

### 3. TEXAS ACTIVISTS PROTEST ICE PRISONS

On June 23, some 500 activists marked World Refugee Day by gathering outside the T. Don Hutto Residential Center, an ICE detention center holding immigrant families with children in Taylor, Texas. The facility holds more than 500 immigrants, including hundreds of children. The Taylor Police Department was dispatched to the Hutto facility to prevent protestors from entering private property, but they did not try to stop the vigil. The event was sponsored by Amnesty International, an international human rights advocacy group, and organized with other groups including the League of United Latin American Citizens (LULAC), Code Pink, Houston Sin Fronteras, the Cesar E. Chavez March for Justice, Texans United for Families, Children and Families for Humane Treatment Alliance and the Greater Faith Institutional Church. The event marked the 10th vigil at Hutto since September 2006. The Hutto jail is operated by Corrections Corporation of America (CCA), which gets about \$2.8 million a month from ICE, about \$5,472 per month (\$182 per day) for each immigrant detained in the 512-bed facility. [*San Antonio Current* 6/26/07; *Daily Texan* 6/25/07; *Austin Chronicle* 6/29/07]

On July 2, a grand jury in Harris County, Texas, declined to indict two protesters on felony charges for a protest in which they used a bike lock to chain themselves to a fence at a CCA detention facility in Houston. Houston Sin Fronteras members Ashley Turner and Benjamin Browning were arrested on June 4 by off-duty Houston Police Department officers working as security guards at the Houston Processing Center, run by CCA for ICE. The two activists were charged with possession of a criminal instrument--the bike lock--and trespassing. Randall Kallinen, defense attorney for the two protesters, said the district attorney's office overreacted and used the charge to squelch his clients' rights. "They were doing it for punishment and the fear factor to keep them from protesting," he said. Misdemeanor trespassing charges are still pending against Turner and Browning. [*Houston Chronicle* 7/2/07; *Diario El Dia* 7/3/07]

### 4. MIGRANTS DIE ON BORDER

An unauthorized migrant drowned in a border canal in El Paso, Texas on June 27 after a US Border Patrol agent trying to rescue him was hit in the head with a rock thrown by a suspected smuggler, Border Patrol officials said. The agent, who was not identified, fired at least one shot at the suspected smuggler and at another would-be immigrant, who fled back into Mexico, Border Patrol spokesperson Patrick Berry said. It was unclear how many shots the agent fired or whether either of the fleeing men were hit by bullets. The drowned man's body was found in the canal more than four miles east of where the agents saw him go under the water, Berry said. The shooting is under investigation; it was the third involving a Border Patrol agent in the El Paso area this year. [*AP* 6/27/07]

On June 25, Border Patrol agents found the body of a possible unauthorized migrant in the Altar Valley southwest of Tucson. It was the 11th body found over a

12-day period. Agents found six bodies from June 18 to 22. From the start of the fiscal year on Oct. 1 to June 26, there were 109 known deaths of border crossers in the Border Patrol's Tucson sector, compared with 116 the same time last year. [*Arizona Daily Star* 6/27/07] From June 29 through the morning of July 2, Border Patrol Tucson Sector officials confirmed the deaths of two migrant women, and the discovery of skeletal remains of a third presumed migrant whose sex could not be determined. Daily temperatures have been exceeding 100 degrees in the area; most of the deaths appear to be heat related. [*ADS* 7/3/07] On the afternoon of July 2, Border Patrol agents found the body of a 26-year-old Mexican woman about 60 miles southwest of Tucson on the Tohono O'odham Reservation. A search for a missing companion was unsuccessful. The woman was the 16<sup>th</sup> border crosser whose remains had been found over the past 18 days. [*ADS* 7/4/07] On July 4 a badly decomposed body--presumed to be another border crosser--was found in the Altar Valley. [*ADS* 7/6/07]

On June 26, two suspected unauthorized migrants were killed after the driver of a pickup truck fleeing the Border Patrol swerved into oncoming traffic and crashed head-on into another vehicle on a winding, rural road near Ocotillo, about 70 miles east of San Diego in southern California. Authorities said the pickup carried eight suspected unauthorized migrants from Mexico, including the man and woman who died. Several other people were seriously injured in the crash, including two people in the other vehicle. The Border Patrol said agents used spike strips in an unsuccessful attempt to puncture the pickup's tires, and halted their pursuit of the pickup after reaching the speed limit of 55 miles per hour. Agents said they later spotted a plume of smoke several miles away and found the pickup in flames on a two-lane road. But Pablo Arnaud, Mexico's consul in Calexico, said survivors told Mexican officials that a green and white vehicle--the Border Patrol's colors--pursued the truck until the crash. According to Arnaud, the driver ignored the passengers' pleas to slow down. The driver suffered moderate injuries and will be charged with felony vehicular manslaughter. [*AP* 6/27/07]

### 5. MISSOURI: 136 ARRESTED AT POULTRY PLANT

On May 22, armed federal agents raided a George's Processing Inc., poultry-processing plant in rural Butterfield, Missouri, about 60 miles southwest of Springfield. The agents from Immigration and Customs Enforcement (ICE) and the Social Security Administration Office of Inspector General (SSA-OIG) executed two federal criminal search warrants, rounding up all workers on the day shift and checking their identities and documents. Officers and agents from the Missouri Highway Patrol, US Marshals Service's Fugitive Task Force and the US Department of Agriculture assisted with the arrests.

A total of 136 George's employees were arrested, 88 of them from Guatemala and 48 from Mexico, according to an ICE press release. (News reports citing an ICE spokesperson said some of the workers were from

Honduras and El Salvador.) The arrested workers included 59 women. ICE agents and medical professionals from the US Public Health Service (PHS), a division of the Department of Health and Human Services, interviewed the arrested workers "to record any medical, sole-caregiver or other humanitarian situations," according to ICE.

Thirty-one workers were released for humanitarian reasons and given notices to appear at a later date before an immigration judge. Those arrested on administrative immigration charges were transported to detention facilities in Wichita, Kansas; Kansas City, Missouri; and St. Louis, Missouri. Hearings before federal immigration judges will be held in Kansas City. [AP 5/23/07; ICE News Release 5/23/07]

"These worksite enforcement actions help reduce the job magnet that encourages aliens to enter the country illegally," claimed Pete Baird, assistant special agent in charge of the ICE Office of Investigations in Kansas City, which covers Kansas and Missouri. [ICE News Release 5/23/07]

The arrests were part of an ongoing criminal investigation into identity theft, Social Security fraud and employment of unauthorized workers. On May 24, John F. Wood, US Attorney for the Western District of Missouri, announced that eight George's employees--five Guatemalans and three Mexicans--had been criminally charged in federal court: one with Social Security fraud; one with falsely claiming to be a US citizen in order to obtain employment; and six with illegally entering the US after having been deported. Seven of the defendants were arrested in the May 22 raid at the plant; the eighth was arrested on May 7. The US Attorney's Office for the Western District of Missouri previously charged five individuals, in separate cases dating as far back as 2005, as part of the same investigation. [ICE News Release 5/23/07, 5/24/07]

George's released a statement on May 23, saying it uses the federal government's Basic Pilot Program to verify "the names, dates of birth and Social Security numbers of any prospective employee prior to George's hiring." Springdale-based George's is a regional poultry processor with about 2,300 employees, according to company research service Capital IQ. [AP 5/23/07]

## 6. FORESTRY WORKERS ARRESTED IN IDAHO

On May 22, ICE agents raided the Idaho City Hotel in Idaho City, Idaho, and arrested 14 undocumented employees of Cutting Edge Forestry Inc., an Oregon-based contractor for the US Forest Service. The workers were among a group of 16 who had been hired to replant trees over a 500-acre area of rugged land in the Boise National Forest that burned in 2003. The terrain—including ridge tops and steep slopes--was so rugged that workers had to be transported to the reforestation sites by helicopter. They had been working for about 10 days, with one week left.

The workers were taken to the Ada County jail, which

recently contracted with ICE to detain unauthorized immigrants while they wait for deportation. Ten of the 14 workers waived their right for a hearing and were deported to Mexico. The other four were released and will go before an immigration judge in the near future.

ICE spokesperson Carl Rusnok said these cases are all "lead generated" by people who observe possible illegal activity and contact officials. The investigation is continuing, and the contractor may face criminal charges. [Associated Press 5/25/07; KTRV FOX 12 (Boise, ID) 6/4/07; Mail Tribune (Medford,OR) 5/27/07; KTVB News (Boise), 5/23/07]

## 7. POLITICAL MOTIVE IN NEW HAVEN RAIDS?

Early on June 6, ICE agents arrested 29 men and two women in the Fair Haven neighborhood of New Haven, Connecticut, in a raid targeting people who had previously been ordered deported by immigration judges. City officials said on June 7 that only four of the people arrested were named on ICE warrants; another 12 warrants went unserved. Most of those arrested were from Mexico, Guatemala, Nicaragua, Ecuador and Guinea.

Lawyers and advocates for immigrants who interviewed relatives of the detainees said that in most cases, immigration officials knocked on their doors and demanded to speak with every adult in the house, then asked for identification. In several cases, agents separated the men from the women and asked which of the women had children. Those who said they did were left behind, advocates said.

New Haven officials questioned the timing of the raid, which came two days after the city's Board of Aldermen approved the creation of municipal ID cards that could be used by out-of-status immigrants to open bank accounts and access city services. Paula Grenier, a spokesperson for the ICE office in Boston, insisted the arrests were part of a routine fugitive operation that was not associated with the aldermen's vote, but Mayor John DeStefano wasn't convinced: "Now there are in America 11,000 cities, towns and villages, but somehow, by some act of circumstance or coincidence, within 36 hours, the response was in New Haven," he said.

New Haven already had a "safe haven" policy barring local police from inquiring about immigration status. City police did not assist with the ICE raid, said Jessica Mayorga, a spokesperson for DeStefano. "There is truly no safe haven for fugitive aliens," said ICE spokesperson Marc Raimondi. [AP 6/6/07; Yale Daily News 6/6/07; New York Times 6/8/07]

On June 14, 15 of the arrested New Haven residents appeared in federal immigration court, where an immigration judge determined that they will remain in federal custody. Two were held on \$25,000 bonds, while most of the rest were held on \$15,000 bonds. Attorneys and law students from Yale and the University of Connecticut said they would return to court on June 20 to argue for lower bonds, based on the detainees'

community ties, family commitments and other factors showing they would be unlikely to flee if released.

The attorneys also plan to present evidence that immigration agents entered homes without authorization, refused to identify themselves and detained people passing by on the street who "appear to have been singled out because of their appearance," said Michael Wishnie, a Yale law professor who is representing most of those arrested. Two women held in a Boston facility had their bonds reduced to \$1,500 and \$3,500 during a hearing on June 13, and expected to post those bonds the next day, Wishnie said. The four people who were arrested on warrants for having been previously ordered deported are not eligible for bond and could be deported at any time, Wishnie said. The other arrestees are being held in facilities in Boston and Greenfield, Massachusetts; Providence, Rhode Island; and Cumberland County, Maine.

At least 40 supporters of the detainees rallied on June 14 outside the courthouse in Hartford, Connecticut. Groups of businesses, churches and community groups in greater New Haven also pledged to raise money to help meet the defendants' bonds and the needs of their families. Several city restaurants are giving 10 percent of their proceeds from business on June 14 to a fund to help the detainees, supporters said. A larger rally was set for June 16. [*Stamford Advocate* 6/14/07 from AP; *Hartford Courant* 6/15/07] Supporters also organized a protest June 7, the day after the raids, gathering in front of St. Rose of Lima Church and marching through Fair Haven. [*Email announcement* 6/5/07]

## **8. PORTLAND: RAID AT PRODUCE PLANT**

On June 12, more than 150 ICE agents executed search and arrest warrants at three sites in Portland connected with the Fresh Del Monte company and its Portland fruit and vegetable processing facility, arresting about 165 workers and three managers. Searches were carried out at two offices of American Staffing Resources Inc, a US recruitment company responsible for staffing at the Portland Fresh Del Monte plant. A search warrant was also executed at the Fresh Del Monte office within the plant. As part of the criminal investigation, a federal grand jury in Portland has returned indictments against three individuals alleging immigration, document fraud, and identity theft offenses. The raid culminated an investigation that began in January 2007 with an undercover operation at American Staffing Resources and Fresh Del Monte. ICE says the staffing agency supplied workers with fake or bad social security numbers so they could work at the plant. Federal agents found that only 48 of the 596 employees had valid Social Security numbers. Another 463 were using someone else's number; 85 used invalid numbers; and four used numbers of someone previously deported. [*Cayman Net News* 6/15/07; *ICE*

*News Release* 6/12/07; *KING5.com (Seattle)* 6/16/07; *The Oregonian* 6/12/07]

Fresh Del Monte is an international company based in Grand Cayman, Cayman Islands; while it uses the Del Monte brand, is a separate entity from the Del Monte Foods Company. Fresh Del Monte employs more than 37,000 employees worldwide, and has 25 facilities in the US. In 2006 they hired about 3,000 temporary workers, many of them in the Portland factory. [*Cayman Net News* 6/15/07]

Officials say the raid was based on a federal investigation that began in January. But a local attorney and professor who represented Del Monte workers in a class-action lawsuit against the company says it was revenge. A state investigation found that eight workers were fired after complaining about safety problems. "This was a publicized settlement where immigration officials were aware that there was this group of workers who had complained about workplace violations and this is the first plant they go after in Oregon--I think it's more than coincidence," Keith Cunningham-Parmeter told KOIN News 6. [*KOIN News 6 (Portland)* 6/13/07]

On June 16, nearly 100 people, including friends and family members of the arrested workers, protested the raid with a demonstration at the Northwest Detention Center in Tacoma, Washington, where federal officials say 131 of the arrested workers were to be taken after being processed at an ICE facility in Tukwila, Washington. About 30 other workers were processed and released on humanitarian concerns with an order of supervision and a notice to appear in front of an immigration judge. Immigrant rights supporters also held a protest the same day of the raid, June 12, at the federal building in downtown Portland. [*KING5.com (Seattle)* 6/16/07; *The Oregonian* 6/12/07]

Portland mayor Tom Potter issued a statement condemning the raids: "I am angered by this morning's arrest by federal officers of approximately 150 Portland residents who were working at a local produce company.... [T]o go after local workers who are here to support their families while filling the demands of local businesses for their labor is bad policy. It also serves as a reminder of the failure of our national leaders to deliver an immigration policy that is both fair and humane to families and acknowledges the economic realities of our country. "Potter clarified that no Portland police officers participated in the raid. [*Potter Statement* 6/12/07] Potter spokesperson John Doussard did say that the city's police bureau had been given a heads-up about the raids. [*AP* 6/13/07]

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**About National Immigrant Solidarity Network**

NISN is a coalition of community, immigrant, labor, human rights and student activist groups, founded in 2002 in response to the urgent needs for the national coalition to fight immigrant bashing, support immigrant rights, no to the sweatshops exploitation and end to the racism on the community. Please visit our website:  
<http://www.ImmigrantSolidarity.org>

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