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Protecting America & Upholding Public Safety

News Release

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September 7, 2006

Fairfield restaurant owner indicted for employing, transporting and harboring illegal aliens

CINCINNATI - A federal grand jury here yesterday indicted the owner of Bee's Buffet restaurant in Fairfield, Ohio, alleging that he employed, transported and harbored illegal aliens at his restaurant.

Gregory G. Lockhart, U.S. Attorney for the Southern District of Ohio, and Brian M. Moskowitz, special agent-in-charge of the ICE Office of Investigations in Detroit, announced the 12-count indictment.

The indictment alleges that Jing Fei Jiang, 37, encouraged and induced three illegal aliens to reside and remain in the United States for commercial advantage or private financial gain by employing these aliens at Bee's Buffet. Jiang is charged that he knew or recklessly disregarded the fact that his actions were illegal. The restaurant is located at 725 Niles Rd. in Fairfield. The indictment also alleges that the owner also falsely claimed to be a U.S. citizen when he applied for a small business loan, even though he's a citizen of China and has been illegally living in the United States since 1990.

The indictment charges Jiang with three counts of illegally employing an unauthorized alien, three counts of illegally transporting an unauthorized alien, three counts of illegally harboring an unauthorized alien, one count of false attestation of citizenship, and one count of making a false statement to a bank on a loan application.

On March 28, Jiang falsely represented himself to be a citizen of the United States on an SBA Express and Community Express Borrower Information Form, SBA Form 1919, an Addendum to an application for a loan/line of credit with U.S. Bank, Fairfield, Ohio. The loan/line of credit was guaranteed by the U.S. Small Business Administration pursuant to its Small Business Loan program. When he completed this form, Jiang knew he was not and is not a citizen of the United States.

The indictment contains one count seeking forfeiture of Jiang's home, the restaurant, the contents of three bank accounts, \$150,000 in cash seized from a safe deposit box, \$179,397 in cash seized from a safe in his house, and a 2004 Nissan Titan.

"ICE special agents from the Cincinnati office, assisted by the Fairfield Police Department, executed federal search warrants at Jiang's residence and place of business on June 5 and arrested 10 individuals suspected of immigration law violations," Lockhart said. "We continue to work with all law enforcement agencies to act against those who subvert our immigration laws." Jiang has been in custody since his arrest.

"No matter how large or how small the company, ICE has no tolerance for individuals who use

illegal aliens in their workforce," said Moskowitz, special agent-in-charge of the ICE Office of Investigations in Detroit. "ICE will use all the tools within our arsenal to bring employers to justice that engage in this type of criminal activity." Moskowitz' area of operations includes the States of Michigan and Ohio.

Jiang was ordered deported by a federal immigration judge in December 1990. He has since been living illegally in the United States.

If convicted, Jiang faces a maximum sentence of 10 years in prison and a maximum fine of \$250,000 on each of the first nine counts. Making a false attestation of citizenship carries a penalty of up to three years' imprisonment. Making false statements to a bank on a loan application carries a punishment of up to 30 years' imprisonment. These are statutory maximum sentences. Actual sentences will be determined by Senior U.S. District Judge S. Arthur Spiegel, who is presiding over the case.

Lockhart commended the cooperative investigation by ICE agents and Fairfield Police officers, and Assistant U.S. Attorney Anne Porter, who is prosecuting the case.

An indictment is merely an accusation. All defendants are presumed innocent until and unless convicted in a court of law.

-- 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.

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Protecting America & Upholding Public Safety

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News Release

August 11, 2006

ICE announces two criminal cases against companies employing illegal aliens Company owners in Buffalo, N.Y., and Wichita, Kan., face federal charges for immigration violations

WASHINGTON, D.C. - U.S. Immigration and Customs Enforcement today announced two criminal cases against corporate officers accused of crimes involving the unlawful employment of illegal aliens. The cases, one in Buffalo, N.Y., and the other in Wichita, Kan., are the most recent examples of an aggressive new strategy aimed at targeting corporations that profit by employing illegal workers.

"These two cases should put businesses on notice that ICE will criminally charge those employers who knowingly transport and employ illegal aliens as part of their business model," said Julie L. Myers, Homeland Security Assistant Secretary for Immigration and Customs Enforcement. "We will use all of our authorities to shut down businesses that exploit and harbor an illegal workforce. The United States Attorneys have been critical partners in our efforts to enforce our worksite laws."

Buffalo, N.Y.

Today in Buffalo two corporate officers of Skyworks Activities Incorporated, a cleaning company, had their initial appearance in U.S. District Court for the Western District of New York. The company officers have been charged with transporting illegal aliens for profit. The criminal complaint alleges that 32-year-old America Miranda and her 38-year-old brother, Rafael Miranda, knowingly transported illegal aliens to the Buffalo area to work as cleaners at America's Fair, now running at the Erie County Fairgrounds.

According to the criminal complaint both of the company officers admitted that they knew a number of their employees were illegal aliens. Rafael Miranda also admitted that he transported a number of the aliens from Atlanta, GA to America's Fair. The complaint also alleges that America Miranda told agents during the investigation that she arranged the transportation of all 41 illegal aliens to the fair so they could work for the company. Both individuals were ordered held without bond.

Skyworks is a sub-contractor hired to provide cleaning services at the fair. The company is based in Norcross, GA. The case developed late Wednesday when a tip from the public led Buffalo special agents to arrest 41 illegal aliens working for Skyworks. The resulting investigation led to the criminal charges filed today in federal court. Terrance P. Flynn, U.S. Attorney for the Western District of New York is prosecuting the case.

Wichita, Kan.

A Wichita business, its owner and two managers were criminally indicted Wednesday in U.S. District Court for the District of Kansas on 28 counts involving the hiring and employment of illegal aliens.

Bob Eisel Powder Coatings, Inc., company owner and president Bob Eisel, general manager Kenric "Butch" Steinert and foreman Troy Hook were indicted for allegedly making false statements to the government (eight counts); misusing Social Security numbers (eight counts); accepting documents they knew were false as evidence that employees were allowed to stay or work in the U.S. (eight counts); committing aggravated identity theft (three counts); and harboring illegal aliens (one count).

According to the indictment, the company routinely hired illegal aliens while knowing or suspecting the documents they had provided were false. In addition, the company received letters from the Social Security Administration indicating employees were using numbers that didn't match their names, were not assigned, or were being used by more than one person. In response to the letters, the company, through Eisel, Steinert and Hook, told the affected employees that they would have to get different Social Security numbers in order to keep working.

Furthermore, according to the indictment, company managers took cash from an office safe and help illegal alien employees purchase new false documents. In this manner, the company assisted in the purchase of dozens of sets of false identification documents, most consisting of a Social Security card and a resident alien card, or "green card." The company would then terminate employment of the illegal alien and immediately re-hire the same person under the new false identity.

The company, its owner and the two managers were also indicted on eight counts of making false statements to the government when they certified on the Form I-9, Employment Eligibility Verification, that the documents presented by the employees appeared to be genuine, that they related to the employees, and that the employees were eligible to work in the U.S.

An indictment is simply the method by which a person is charged with criminal activity and raises no inference of guilt. An individual is presumed innocent until competent evidence is presented to a jury that establishes guilt beyond a reasonable doubt.

ICE is significantly enhancing its worksite enforcement efforts as part of its interior enforcement strategy. ICE is bringing criminal prosecutions and using asset forfeiture as tools against illegal employment schemes far more than the former U.S. Immigration and Naturalization Service (INS), which tended to rely on administrative fines as a sanction against such activity. This strategy will create the kind of deterrence that was previously absent in worksite enforcement efforts.

-- ICE --

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News Release

August 14, 2006

ICE provides \$2.5 million to Pennsylvania law enforcement agencies for their assistance in immigration investigation of Wal-Mart and contract companies

Thomas A. Marino, United States Attorney for the Middle District of Pennsylvania, and Julie Myers, Assistant Secretary, Department of Homeland Security, U.S. Immigration and Customs Enforcement (ICE), Thomas Corbett, Attorney General, Commonwealth of Pennsylvania, and Chief Mark Flynn, Honesdale Police Department today announced that two Pennsylvania law enforcement agencies that have received payments totaling more than \$2,500,000 from the Department of Homeland Security, payments representing shares of a landmark \$15 million global civil and criminal settlement arising out an investigation into the alleged hiring of illegal aliens by independent contractors who provided cleaning services to Wal-Mart stores throughout the United States from 1998 through 2003.

According to federal officials, the following agencies have received asset forfeiture equitable sharing payments as a result of their crucial roles in this joint five year investigation, which culminated in 2005:

Office of Attorney General, Commonwealth of Pennsylvania \$2,254, 511.30

Honesdale Police Department, Honesdale, Pennsylvania \$253,632.52

This asset sharing represents the culmination of this joint local, state and federal effort to investigate the alleged employment of undocumented aliens by various cleaning companies which formerly provided cleaning services to Wal-Mart stores throughout the United States. This investigation was conducted by ICE agents, the U.S. Attorney's Office for the Middle District of Pennsylvania, with the assistance of the Pennsylvania Attorney General's Office, and the Honesdale Police Department.

According to federal officials, the asset sharing announced today reflected the indispensable roles of these state and local agencies in this investigation. Federal officials noted that both the Honesdale Police Department and the Office of Attorney General for the Commonwealth of Pennsylvania played vital roles in the successful investigation of this immigration case.

The Honesdale Police Department was one of the first law enforcement agencies to bring this alleged employment of illegal aliens to the attention of the Department of Homeland Security, and provided essential support and assistance to the initial local aspects of this nationwide investigation. The Pennsylvania Attorney General's Office, in turn, worked with local and federal officials developing this local matter into a state-wide investigation, and ultimately into an investigation which was nationwide in its scope.

That nationwide investigation culminated on October 23, 2003 with a series of immigration

enforcement actions at some 60 Wal-Mart stores in 21 states. In these enforcement actions, ICE agents arrested approximately 245 undocumented aliens employed by the cleaning contractors and put them in deportation proceedings.

ICE agents made arrests at Wal-Mart stores located in Alabama, Arkansas, Arizona, Connecticut, Delaware, Kentucky, Massachusetts, Maryland, Michigan, North Carolina, New Hampshire, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, and West Virginia.

Following these enforcement actions, officials at Wal-Mart contacted federal authorities and entered into a civil settlement which included the payment of \$11 million through the United States Attorney's Office to the Treasury Forfeiture Fund for the purpose of promoting future law enforcement programs and activities in this field by U.S. Immigration and Customs Enforcement (ICE).

In addition to this civil settlement, twelve Missouri-based cleaning contractor corporations were convicted of charges in federal court in Pennsylvania for their alleged involvement in the illegal employment of undocumented aliens in Pennsylvania and elsewhere between 1998 and 2002, and consented to the forfeiture of an additional \$4 million to the United States.

In announcing this asset sharing from these forfeited funds, Mr. Marino noted: "The partnership between local, state and federal law enforcement agencies is the key to our success protecting the public, and enforcing the law, including this nation's immigration laws. Here in central Pennsylvania we are fortunate to have outstanding state and local law enforcement partners like the Pennsylvania State Attorney General and the Honesdale Police Department, whose work we recognize today. Because of the hard work and dedication of these law enforcement partners, a major immigration investigation with nationwide implications for employers throughout the United States, was brought to a highly successful conclusion."

ICE Assistant Secretary Myers stated, "This investigation demonstrates what can be achieved when local, state, and federal law enforcement agencies work together in targeting employers that use cheap, illegal labor as a business model. Without the work of the Honesdale Police Department and the Pennsylvania Attorney General's office, this case would not have moved forward. We are pleased to recognize their substantial contributions to this landmark investigation."

"The arrests of more than 240 illegal aliens in 21 states sends a clear message to private contracting companies that hire these workers," Corbett said. "Law enforcement will not tolerate the employment of undocumented aliens by private contracting companies looking to save money by hiring cheap labor. Officials from every level of government will continue to investigate and pursue those who break the nation's immigration laws."

-- ICE --

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States, Counties Begin to Enforce Immigration Law

By Peter Whoriskey
Washington Post Staff Writer
Wednesday, September 27, 2006; 6:50 AM

CHARLOTTE -- Police here operated for years under what amounts to a "don't ask, don't tell" policy toward illegal immigrants.

As elsewhere in the United States, law enforcement officers did not check the immigration status of people they came into contact with, and in the vast majority of cases, a run-in with the law carried little threat of deportation.

But that accommodation for the burgeoning illegal population ended abruptly in April, when the Mecklenburg County sheriff's office began to enforce immigration law, placing more than 100 people a month into deportation proceedings. Some of them had been charged with violent crimes, others with traffic infractions.

The program takes one of the most aggressive stances in the United States toward illegal immigrants, and officials in scores of communities, including Loudoun County, are considering adopting their own version. Late last night, the [Herndon Town Council voted to apply to participate](#) in the program.

The House earlier this month was weighing a measure "reaffirming" the authority of local law enforcement agencies to arrest people on suspicion of violating immigration laws.

Some Latino leaders say the program here is contributing to a discriminatory climate in which Hispanic drivers feel as if they are being "hunted" by police. And some law enforcement agencies elsewhere have shied away from enforcing immigration laws, saying that doing so would rupture any trust they have developed in Latino neighborhoods.

But advocates see it as a way to catch illegal immigrants who slip through porous federal enforcement measures and then run afoul of state or local police.

Mecklenburg County Sheriff Jim Pendergraph says there should be little sympathy for illegal immigrants caught by his program: They have already broken the law once by being here illegally, and then been arrested on suspicion of another crime.

"When any of them cross that border without proper documentation, they've violated the law -- however insignificant it may seem to some people," he said. "I've heard sad stories about folks wanting to come up here and have a better life and earn money for their family. I've arrested bank robbers who've had the same excuse."

While the program has led to the removal of many illegal immigrants charged with felonies, people arrested for lesser charges such as traffic violations are also subject to deportation. That, according to Hispanic leaders, has created a constant worry for people who are in the United States illegally and now fear deportation after a simple traffic stop.

Many illegal immigrants lack valid licenses. As a result, they now risk not only arrest but also deportation whenever they drive.

"It's tense, very tense," said Angeles Ortega-Moore, director of the Latin American Coalition in Charlotte. "It used to be everybody here loved the Latinos. They would say, 'We like you more than the blacks.' Now we're like the Big Bad Wolf."

"The law enforcement community is split on this issue," said Gene Voegtlin, legislative counsel for the International Association of

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Chiefs of Police. The local agencies against enforcing immigration law "are concerned about the chilling effect it will have on immigrants' cooperation with law enforcement," he said.

In Mecklenburg County, about 1,200 foreign-born people have been arrested since April, on charges ranging from traffic violations and trespassing to sex crimes, and nearly 600 have been found to be here illegally.

Among those snared earlier this month was Guadalupe Lara, an 18-year-old Mexican carpenter.

The fifth of eight children born to farmworkers in Queretaro, he walked across the border when he was 16 to find work. Two years later, he has only a wispy beard and stands 5-foot-3.

He makes \$7.50 an hour and lives with four others in a small, sparsely furnished apartment. Though they lack beds, they have a television on which Lara watches his favorite telenovela, "Heridas de Amor." He sends money home monthly and calls home every week.

"It's difficult," he said in Spanish. "When I call they say 'How are you?' I say 'I am fine.'" On Monday night, Lara was pulled over by police after buying a pack of cigarettes. He was not drunk but had an open bottle of beer in the car. He also lacked a license. He was arrested and when asked admitted he had no papers.

Had he been detained elsewhere, his illegal status may not have mattered.

But in Mecklenburg, two sergeants and 10 deputies at the jail are trained to handle immigration infractions, running checks in databases and holding people in custody if necessary.

Some of those arrested face immediate deportation. Some are held on bond pending an immigration hearing. Lara was relatively lucky. Because he had no prior immigration or criminal charges, he was given a notice to appear before an immigration judge in Atlanta and released. He is likely to be ordered deported.

Lara says police now unfairly target Latinos. More than 90 percent of the illegal immigrants discovered in Mecklenburg are from Latin America.

"The police are just looking for problems with Hispanics," Lara said. "They know we don't have driver's licenses -- we can't get them -- and so they pull us over."

Liliana "La Chula" Ramos, a host on local Spanish radio, said: "A lot of people here are very afraid because they think the police will pull them over for anything. It's very difficult for people to get licenses now, and people have to go to work, so they're out there driving."

Philip Turteltaub, a Charlotte immigration lawyer, says he sometimes receives six or seven calls a day from relatives of illegal immigrants caught by the program. He tells them not to waste their money.

"Most people I can't do anything for," he said.

While he ventured no opinion on the program's fairness, he said he thinks it could make life as an illegal immigrant in the region so uncomfortable that fewer illegal immigrants would choose to live there.

"They're putting the pressure on these people. They're scaring them. People say we can't deport 10 million. But you don't have to. If you deport enough of them, others will go back voluntarily because they don't want to live in these conditions."

Besides Mecklenburg, six other state and local law enforcement agencies have started similar programs in recent years. A dozen more are being worked out with U.S. Immigration and Customs Enforcement. And in the past three months, hundreds of state and local departments have inquired about similar efforts, said Robert J. Hines, who heads the program for the ICE.

"When you are removing the criminal element from the community, it's hard to point a finger and say it's a bad thing," Hines said.

The vote to at the packed Herndon Town Council meeting last night was 6 to 1 in favor of joining the program. If the town's application is accepted, officials would negotiate an agreement on the training police would be given and what type of enforcement activities they could carry out. Herndon would become the first town police force to receive such training, officials said.

Loudoun County Sheriff Stephen O. Simpson said his department also is considering participating. Officials in Alexandria, Arlington, Fairfax and Prince William said they are not considering the idea, and police officials in suburban Maryland say there is lukewarm interest in deputizing officers to enforce immigration laws.

"In the Montgomery County area, we've taken more the track that we celebrate diversity," said Gaithersburg Police Chief Mary Ann Viverette, who is also the president of the International Association of Chiefs of Police. Immigration is "not an issue we want to enforce."

In federal testimony from August, Pendergraph, the Mecklenburg County sheriff, said "political correctness" is preventing some communities from adopting the program, and that "will eventually be the downfall of this country if someone doesn't wake up."

Like much of the mid-Atlantic region, Charlotte has seen a rapid rise in the number of Latino immigrants over the past 15 years, many of them here illegally. Between 2000 and 2005, the estimated number of illegal immigrants in North Carolina rose 38 percent, from 260,000 to 360,000, according to a Department of Homeland Security report.

The influx, particularly conspicuous in a metropolis clinging to its small-town past, has caused ripples of concern.

"Texas, New York and California might be used to large influxes of illegal immigrants -- but we're not," said Mecklenburg County Commissioner Bill James, who favors stronger enforcement. "James Carville had it right: We're just Mayberry with a major airport."

Local support for broad enforcement coalesced in July 2005 after a truck driven by an illegal immigrant whose blood-alcohol level was nearly triple the legal limit, hit a car, killing a local teacher and leaving the teacher's wife in a vegetative state. The accident resulted in Ramiro Gallegos's fifth impaired-driving charge in five years -- and led to the new enforcement policy.

"No more excuses," U.S. [Rep. Sue Myrick](#) (R) said at a news conference at the time, calling for tougher enforcement. "You're drunk. You're driving. You're illegal. You're deported. Period."

Staff writers Bill Turque, Karin Brulliard, Ernesto Londoño and Candace Rondeaux contributed to this report.

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