

# Fun-park raids may test state hiring law

*Company records seized in illegal-worker inquiry*

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Maricopa County sheriff's deputies seized hundreds of employee records from the parent company of three Valley summer-fun spots on Tuesday as part of a sweeping ID-theft investigation that may lead to the first use of a new state law to prosecute employers who knowingly hire undocumented immigrants.

Nine workers associated with Golfland Entertainment Centers, which operates Waterworld, Golfland and Big Surf, were arrested in an investigation that stems from a tip the Sheriff's Office received in February.

But any potential penalty for Golfland Entertainment Centers through a civil violation of the state's employer-sanctions law is likely a ways off, Maricopa County Attorney Andrew Thomas said.

"This may or may not turn into an employer-sanctions violation," he said. "These cases take time."

Thomas said it marked the first time that he and Sheriff Joe Arpaio have worked in concert to investigate potential violations of the Legal Arizona Workers Act, which took effect in January. Deputies served search warrants on Waterworld and Golfland for employee records.

A Golfland Entertainment Centers official said the company is cooperating with the Sheriff's Office.

For company employees, Tuesday made for an unusual day.

The arrests and seizures were the result of an investigation that started after a former Waterworld employee provided detectives with specific, credible information about workers at the water park using fraudulent IDs, sheriff's officials said.

Armed with arrest warrants, undercover detectives targeted half-a-dozen workers suspected of ID theft early Tuesday as the employees were on their way to work at Waterworld.

Detectives caught four of them before 9 a.m. and then reconvened in a West Valley meeting room to make plans to serve warrants for Waterworld employee files at the water park and the company's local headquarters at Golfland in Mesa.

By 11 a.m., detectives were collecting records for more than 400 employees at Waterworld and detaining a couple of other illegal-immigration suspects who happened to cross paths with the Sheriff's Office's federally trained deputies. Golfland Entertainment Centers employs more than 1,100 people in Arizona.

Deputies took into custody the fifth suspect as he attempted to flee Waterworld on Tuesday with two co-workers. Sheriff's deputies also detained the co-workers when they couldn't give sufficient evidence they were in the country legally.

The sixth suspect deputies targeted arrived at the Waterworld office and was arrested without incident.

Sheriff's officials reported having evidence that more than 100 employees at Waterworld could have potential discrepancies with Social Security numbers.

Dave Johnson, director of marketing for Golfland, said after the arrests that the company has nothing to hide.

"We haven't tried to impede their investigation in any way, and we are confident we are in full compliance with the law," he said.

Johnson said all employees hired this year have been vetted through E-Verify, a Web-based program that electronically checks the employment eligibility of new hires. The program went into effect this year under the hiring law.

The new law says employers who knowingly hire illegal workers can face the penalty of having a business license suspended or revoked. The E-Verify system, however, can serve as a defense for employers.

Waterworld is one of three water parks owned by Golfland Entertainment Centers, which also operates the Big Surf water park in Tempe and Sunsplash water park and miniature-golf course in Mesa. Johnson said all parks would remain open as scheduled.

The company's local headquarters is in Mesa at Sunsplash. Fred Kenney of Granite Bay, Calif., is listed as the company's president and chief executive. Golfland Entertainment Centers also operates six parks in California.

Tuesday's action from the Sheriff's Office drew a mixed response from patrons at the family-fun parks in the Valley.

"You just usually don't think of that population working here," said Debbie Walton of Gilbert. "It's teenagers working summer jobs."

Other residents echoed Arpaio's sentiment that his office should enforce all laws to the fullest extent.

"I think it's necessary," said Susan Collins of Chandler. "We have to have laws. I'd like to see them enforced unless they've been changed."

Following an afternoon news conference at the Sheriff's Office, several community activists gathered the media to voice concerns about Arpaio's enforcement of illegal-immigration laws.

Phoenix attorney Antonio Bustamante called the arrests "simply another pretext."

"The sheriff has a hard time complying with the black lettering of the law," he said.

Bustamante said deputies were going against defenseless people without a voice or political power.

Elias Bermudez of Immigrants Without Borders called the raid "selective enforcement."

"He's not going after employers, he's going after employees," Bermudez said.

But that has been Arpaio's approach to enforcing the state's employer-sanctions law since the statute went into effect Jan. 1.

Arpaio, a former Drug Enforcement Administration agent, often likens immigration enforcement to drug suppression, in which authorities start with small-time offenders and attempt to work their way up to dealers and smugglers.

In this instance, deputies arrest people suspected of identity theft with an eye on gathering enough information to potentially build a case against an employer over violation of a state civil statute.

"We're not just looking at the employees, we're looking at the employers, we're looking at the businesses," Thomas said. He wouldn't say whether the case might serve as a bellwether of sanctions cases to come.