

Feds use new strategy against employers of illegal immigrants

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KANSAS CITY, Kansas — After an Overland Park couple were indicted, accused of knowingly hiring illegal immigrants and paying them less than other employees, federal authorities said Tuesday that they would seek to seize the couple's two hotels.

That would be a first in the state of Kansas — but maybe not the last.

U.S. Attorney Barry Grissom said many businesses across Kansas are under similar investigations.

And if found in violation of the law, those employers, in cities including Topeka, Wichita and Dodge City, could end up facing the same tough consequences that Munir Ahmad Chaudary and his wife, Rhonda R. Bridge, could face: years in prison and loss of their personal assets.

The two allegedly employed the undocumented workers at their two Clarion hotels, one at Interstate 435 and Metcalf Avenue in Overland Park and the other near Kansas City International Airport.

“We want to send a very clear message. ... We are going to enforce immigration laws, and we are going to enforce them equally,” Grissom said in a news conference in Kansas City, Kan.

“We're not going to enforce them merely on the backs of (undocumented workers). We are going to go after the people hiring them.”

That symbolizes a switch from years past when employees often were the target. In many cases, authorities would pull up to a worksite, Grissom said, round up dozens of employees and load them on a bus. The next day, though, “they would be replaced by other folks,” he said.

The indictment marks the government's first attempt to seize a hotel in Kansas in a case involving undocumented workers. That would happen only if Chaudary, 51, and Bridge, 40, are convicted.

The two are charged with one count of conspiracy to harbor undocumented immigrants for personal gain, five counts of harboring undocumented immigrants and four counts of wire fraud.

One of their employees, Syed Naqvy, 34, who worked the front desk, is charged with one count of making a false statement to the U.S. Department of Homeland Security and one count of failing to depart from the U.S. as ordered.

Federal authorities served search warrants at the two hotels Tuesday morning. By noon, investigators were in the lobby of the Overland Park Clarion Inn, loading boxes with large, marked envelopes of evidence. The couple's other hotel is at 11828 N.W. Plaza Circle in Kansas City, North.

When authorities first got to the hotels Tuesday morning, they approached the undocumented workers in what Grissom described as "nonconfrontational" fashion. Ten undocumented employees were interviewed; authorities estimate that three times that many worked at the two hotels.

The workers, who authorities say are primarily from Mexico but also from Pakistan, are not being arrested. Immigration officials will decide what to do about their immigration status after the case has concluded.

"They will be interviewed as victims," said Gary Hartwig, special agent in charge of Homeland Security investigations out of Chicago. "We will treat each one independently based on their ability to garner status in the U.S."

The case started with a tip in December 2011. Someone alerted Homeland Security and the Kansas Department of Revenue that the couple employed several foreign nationals who were not lawfully present in the United States. Investigators spoke with several employees, according to the indictment, and confirmed that roughly half of the employees were undocumented workers.

"They paid them off the books, they paid them by cash," Grissom said. "And that was done for the sole purpose of enhancing their profit margin. ... Their economic motive was to cut their costs and to get an advantage on other hotels that abided by the law."

And they were paying undocumented workers lower than minimum wage, though authorities wouldn't say Tuesday exactly what they were paid.

In June, an undercover agent applied for a job in housekeeping at the Clarion Inn in Overland Park. He was clear with the owners, Grissom said.

"He said, 'I'm an illegal alien, I have no papers to support my working here, can you give me a job?'" Grissom said.

When the agent learned illegal immigrants made less than other employees, he inquired about that.

"Chaudary told him that nothing was being withheld from wages to employees who were illegal, like the agent, so they were paid less," the indictment said, "whereas monies were withheld from wages to 'legal' employees."

Adam Mills, president and CEO of the Kansas Restaurant and Hospitality Association, said he was surprised by the indictments.

“In any industry, I think you are going to find people who are bad actors, not doing things on the up and up,” Mills said. “I wouldn’t say that by any means this is a standard operating procedure. We want to be competitive, but we want to have all the documents on our workers. Everybody I talk to is operating within the scope of the law.”

For now, Grissom said, Chaudary and Bridge will be released and allowed to return to their Overland Park hotel, where they live in two rooms on the second floor.

“They will go back and continue to operate the hotels,” he said, “and hopefully they’ll go out and hire some American citizens as opposed to undocumented persons.”

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