

Guilty plea leads to probation for man who hired illegal immigrants

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PHOENIX (AP) — A southern Arizona contractor who pleaded guilty to knowingly hiring illegal immigrants was sentenced to probation Thursday in the first case in the state in which authorities pursued criminal charges instead of just fines against an employer in an illegal hiring case.

Ivan Hardt, owner of Sun Dry Wall & Stucco Inc. of Sierra Vista, was sentenced in Tucson by U.S. District Judge Raner Collins to one year of probation for the misdemeanor conviction.

The 49-year-old also had pleaded guilty last year to the misdemeanor charge and a felony charge of conspiring to harbor illegal immigrants, but the felony charge will be dismissed if he pays the government \$450,000.

That figure consists of \$225,000 to cover proceeds that the company received during the time the illegal immigrants worked there and another \$225,000 to settle a civil dispute with the government over its payment to its legal and illegal workers. Hardt's attorney, Michael Piccarreta, said his client has already paid \$300,000 and plans to square up the debt before an October deadline.

The March 2007 bust of Hardt's business represented a new approach by federal authorities in Arizona that focused on criminal cases against company officials. Some violators viewed the previous strategy of seeking only civil penalties as the cost of doing business.

Now, people who hire illegal immigrants could face jail time, which authorities hope will be a stronger deterrent.

"No one would want to go through what Mr. Hardt has been through in the last five years," Piccarreta said. "And I think the sentence is a reflection that he accepted responsibility and immediately took steps to make sure that that would never happen again."

Piccarreta said the violations occurred when Arizona's construction industry was booming and employers such as Hardt had difficulty finding enough workers to cover all their contractual obligations.

In the years before the southern Arizona raid, federal authorities embarked on some criminal cases across the country against employers who were accused of knowingly hiring illegal immigrants. But Hardt's case marked the first such prosecution under the new strategy in Arizona, the nation's busiest hub for sneaking immigrants into the country.

Matthew Allen, chief of investigations for U.S. Immigration and Customs Enforcement in Arizona, said in a written statement that Hardt's sentence should serve as a warning to other

employers.

“Hiring unlawful workers not only fuels illegal immigration and perpetuates a shadow economy, but it negatively impacts job opportunities for our nation’s lawful work force,” Allen said.

The U.S. Attorney’s Office for Arizona, which prosecuted the case, had no immediate comment on Hardt’s sentence.

Piccarreta said Hardt had no previous criminal record and that he and his office manager have since attended classes held by federal immigration authorities in an effort to ensure that his business is following immigration and employment laws.

Authorities alleged that Sun Dry Wall & Stucco underreported its number of employees to federal inspectors and that some workers were found to have fraudulent work documents. They also said the company’s management was on the lookout for undercover immigration agents and that the firm’s president and one of its foremen used two-way radios to communicate about the whereabouts of immigration agents.

Of the eight people from Sun Drywall and Stucco who were charged in the case, six have pleaded guilty.

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