

Postville's legacy: Fix immigration law

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Nineteen months after the infamous Postville raid plucked 389 immigrant workers from their jobs at Agriprocessors meat-packing plant, about four dozen will spend their second Christmas here, in limbo.

Twenty already served five months in prison and are slated for deportation. They'd been ordered to remain to testify in the trial of the former company CEO Dec. 2. Then the U.S. Attorney's Office dropped immigration and document fraud charges against Sholom Rubashkin, revealing just how one-sided this enforcement has been. The moral seems to be: Let low-end workers pay for crimes that most benefited those at the top.

Now, the workers are told they're needed as witnesses at another trial. But Rubashkin was the big cheese. He was convicted last month of 86 business fraud offenses. The raid was supposed to be about immigration violations, but only one side paid the price for those.

To understand the disingenuousness, let's start with the charges against the immigrants: They weren't for living or working here unlawfully, but for having forged or stolen ID cards. That spared employers from most responsibility for hiring them, even though several managers were convicted of helping workers obtain fake IDs or at least knowingly accepting them.

Assistant U.S. Attorney Peter Deegan said he can't comment on the dropping of 72 charges of immigration and document fraud against Rubashkin. Instead he pointed to the motion he filed to drop them. It notes that the jury's verdicts on Rubashkin's financial fraud case were based, in part, on his deceiving the bank about harboring illegal employees. Further convictions, argued Deegan, wouldn't affect Rubashkin's overall sentence.

But attorney Sonia Parras, who represented many of the undocumented, argues against picking and choosing which crimes to prosecute, saying, "If you have deported 300 people, you prosecute the person responsible." Parras represents other former plant workers who also will see another Christmas in America. Those 20 to 25 women and children have applied for U-Visas, available under the Violence Against Women Act to victims of exploitation. "Some were raped, some sexually harassed," said Parras. "Some kids were working 16 hours straight, some 12 hours." Two or three supervisors, including a woman, allegedly were primary offenders. Parras says there were probably other victims among the women deported after the raid, though processing was done in

such haste, they had no time for a challenge. A recent survey in Iowa showed around 99 percent of immigrant women have witnessed or been victims of workplace sexual exploitation.

Considering they're fighting deportation, these women are hardly a flight risk. But six still are wearing painful and stigmatizing ankle-monitoring bracelets, intended to prevent their fleeing the country. Other bracelets were removed after Parris documented injuries.

The litany of injustices still coming out of the May 2008 raid point to one thing: the need for comprehensive immigration reform. Our policies should have a heart, backbone and basis in reality. Rep. Luis Guterrez, an Illinois Democrat, has introduced a bill in Congress that provides a pathway to citizenship for undocumented immigrants who meet certain criteria.

It's time to end these costly and disruptive raids, and the hypocrisy and inequality underlying them. It's also time to remove the second-class status from some 12 million people who are prey for exploitation. Let's hope this Christmas is the last anyone has to live between the lines, needed and used but told there's no room for them.