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Washington raid brings deportations, mixed signals

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First they were arrested and faced deportation under what has proven to be the Obama administration's only workplace raid. Then they were given work permits, and told they could stay in the United States while their employer was being prosecuted.

Now, the more than two dozen undocumented workers arrested during the February raid here at Yamato Engine Specialists Ltd. are again facing deportation.

"Well, what can you do? You can't run, that'd be worse," Gerardo Arreola Gonzalez, one of the 28 workers arrested, said about the raid. "I had to face it. Yes, I felt fear, thinking, 'The dream is over.'"

Gonzalez's unusual journey through the immigration system symbolizes just how much immigration policy has changed under President Barack Obama - and how it's still a work in progress.

The deportations and likely removals are a conclusion to a case that displeased both advocates for illegal immigrants and those who lobby for stricter immigration enforcement.

In this case, the company, the workers, and even the Seattle U.S. Immigration and Customs Enforcement (ICE) office that conducted the raid came in for some sort of punishment or special scrutiny.

Two days after the raid, ICE officials traded urgent e-mails going over answers to questions sent by an apparently miffed White House, according to e-mails obtained by the Associated Press through a federal records request.

In all, 28 men and women - mostly from Mexico - were arrested that February morning. One man opted to leave the country shortly after the raid. The 27 who remained were given work permits until the case against Yamato ended.

Now, five of the 27 workers have been deported. Seven have been allowed to leave the country voluntarily and 15 await court dates with an immigration judge, said U.S. Immigration and Customs Enforcement spokeswoman Lorie Dankers.

Dankers declined to comment further on the case.

"We're disappointed. We really did think that things would be different under the Obama administration," said Pramila Jayapal, executive director of OneAmerica, a Seattle-based immigration advocacy group. "It's very mixed signals ... we thought we were getting an administration that was supportive."

Immigration advocates were elated when Obama took office, thinking he'd bring immigrant-friendly enforcement policies. The raid shocked them, and they protested loudly.

Homeland Security Secretary Janet Napolitano then ordered an internal review of the raid. The workers arrested were given work permits, and the company became the focus of the investigation.

But those who favor strict immigration enforcement saw Napolitano's review as a signal for lax enforcement, and a rebuke to the Bush administration's immigration policy.

For William Gheen, president of Americans for Legal Immigration PAC, Obama's approach to targeting involved employers is no better than the Bush administration's targeting of those here illegally. Both are incomplete policies, he said.

"I am for the actual enforcement against all parties involved in illegal immigration," Gheen said. "Obama is an arbitrary enforcer, just like Bush, on immigration."

The Obama administration's approach became clearer in the months after the raid: a focus on employers. Hundreds of audit forms were sent out to businesses nationwide, notifying employers to certify that their workers have valid Social Security numbers and other forms of identification proving eligibility to work in the U.S. The administration has also sought to maintain workable enforcement agreements between ICE and local police agencies, and has sought to improve conditions for immigrants detained by the government.

The government's audits of employment status have led to significant job losses. In Los Angeles, American Apparel fired 1,500 workers in September. In Minneapolis, another 1,200 janitors were cut in November.

In order to level charges against employers who hire illegal immigrants, federal prosecutors need the testimony of those workers, and that requires the arrest, confinement and questioning of employees to obtain evidence.

"The most convincing part of that proof comes from illegal aliens," Assistant U.S. Attorney Don Reno said after the Yamato case. "It's going to be just as disruptive to the illegal aliens. That's not going to change."

That new reality doesn't sit well with either side of the immigration debate.

"How could you trust their testimony if you bribed them for it? These people will say anything you want them to say," Gheen said.

"They're saying they're not actively going after the worker, but the workers are a casualty when they have lost their jobs," Jayapal said.

Meanwhile, ICE officials were heartened by some of the response they received to the raid, according to the e-mails obtained by the AP.

Seattle-based Special Agent in Charge Leigh Winchell forwarded an e-mail to his staff from Rep. Lamar Smith of Texas, a vocal immigration enforcement advocate, who said Napolitano's call for a review was "backwards."

"I cannot control the politics that take place with these types of situations, but I can remind you that you are great servants of this country and this agency," Winchell wrote to his troops.

Days after the raid, Winchell told his office to convey that ICE is going after the employer, not the workers, according to the e-mails.

The case against Yamato concluded in September with a \$100,000 fine being leveled. Members of the immigrant family that owns the company issued a public apology. Yamato's owners fled Uganda four decades ago when dictator Idi Amin's regime drove out the country's entrepreneurial Indian minority.

Messages left with Yamato management for this story were not returned.

With the case wrapped up, notices of court appearances for the workers began to appear. ICE agents had warned the workers of it.

Gonzalez, who is from Mexico, had entered the country in 1998 at the age of 19, first living in Arizona, where he started his family. He came to Washington seeking a better job, becoming a welder at Yamato, making \$10 an hour. For now, a local lawyer is helping him but he knows he could face deportation.

"If I have to go to my country, I have to go to my country," Gonzalez said. "...it'll be a challenge for (my family)."

At Yamato, under a basket of employment applications, a poster now warns that Yamato is a company that uses E-verify - the federal program that checks a worker's eligibility to work in the United States.