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ICE AND DEPARTMENT OF JUSTICE JOINT OPERATION TARGETS IDENTITY THEFT AT POULTRY PROCESSING PLANTS IN FIVE STATES

Many workers facing criminal charges

DALLAS — U.S. Immigration and Customs Enforcement (ICE), in coordination with the U.S. Department of Justice and an array of other local, state and federal law enforcement agencies, today arrested more than 280 foreign nationals employed at Pilgrim's Pride plants in five states who are suspected of committing identity theft and other criminal violations in order to obtain their jobs.

Simultaneous enforcement actions were carried out at Pilgrim's Pride plants in the following locations: Mount Pleasant, Texas; Live Oak, Fla.; Chattanooga, Tenn.; Batesville, Ark.; and Moorfield, W.Va. The management at these Pilgrim's Pride facilities cooperated fully with today's arrests. Pilgrim's Pride Corp., headquartered in Pittsburg, Texas, is one of the largest chicken-processing companies in the United States. More specific information about each enforcement location is available on an accompanying fact sheet.

A federal grand jury in Tyler, Texas, returned multiple-defendant indictments on April 1, 2008, that remained under seal until today's operation. The indictments allege that each defendant obtained and used the Social Security account numbers of others to obtain employment with Pilgrim's Pride Corp. If convicted, each defendant could receive up to five years in federal prison and a fine of up to \$250,000. The Department of Justice anticipates that a substantial number of those detained will be federally prosecuted.

During the investigation leading up to today's operation, investigators identified numerous identity theft victims. The identity theft victims described to ICE agents a myriad of hardships they suffered as a result of having their identities stolen, including mistaken tax liens, denial of medical and social services benefits, and damage to their credit ratings.

"Criminal cases like these show how illegal immigration can leave behind a trail of victims," said Julie L. Myers, Department of Homeland Security Assistant Secretary for ICE. "A significant percentage of identity theft is carried out by illegal aliens trying to avoid detection and gain employment. However, even under the least damaging circumstances, these identity thieves wreak havoc with the credit and tax histories of innocent U.S. citizens who spend years trying to repair the damage."

“We will continue to aggressively prosecute all persons who take someone else’s good name and credit for the purpose of working illegally in this country,” said John L. Ratcliffe, United States Attorney for the Eastern District of Texas. “These federal indictments underscore our commitment to stopping immigration fraud and identity theft in the American workplace.”

All of the individuals arrested during the operation are being photographed, fingerprinted and processed by ICE. They are also being interviewed by ICE agents and health care professionals currently assigned to ICE from the Department of Health and Human Services Division of Immigration Health Services. The goal of the interviews is to elicit information from the arrestees about possible health, caregiver or other humanitarian issues, and to identify any urgent medical needs.

For those arrested solely on immigration violations, that information will assist ICE in making decisions about whether to detain the individual or permit a conditional humanitarian release. Similarly, the information will be provided to the relevant U.S. Attorneys’ Offices and state social services agencies so they are fully informed about humanitarian-related issues that may arise in the individual cases being handled through the criminal justice system. Those being prosecuted on criminal charges will be remanded to the custody of the U.S. Marshals Service and housed at various facilities near the arrest sites.

ICE is coordinating with social service agencies and non-governmental organizations in all five states to ensure accurate information is available for family members of those arrested. ICE also has established a toll-free number that family members can call to get information about their relative’s detention status and the removal process. The toll-free hotline number is 1-866-341-3858.

“These sweeping indictments demonstrate my office’s steadfast resolve to aggressively investigate fraud against the foreign labor certification program,” said Gordon Heddell, Inspector General, U.S. Department of Labor. “Together with U.S. Immigration and Customs Enforcement and our other law enforcement partners, we will continue to protect the integrity of the foreign labor certification process by dedicating resources to investigate the use of both identity theft and false documentation to facilitate the entry of undocumented workers.”

ICE officials underscore the investigation of the individual offenders is ongoing. ICE, together with the U.S. Department of Labor’s Office of Inspector General (DOL-OIG), first began looking into the allegations in January 2007. The initial arrests occurred December 11, 2007, when ICE took 24 persons into custody after serving criminal arrest warrants at the Pilgrim’s Pride plant in Mount Pleasant, Texas, and at several nearby residences. Since then, five of those arrested have pleaded guilty to misusing Social Security numbers and are awaiting sentencing.

This is an ICE-led investigation with support from the U.S. Attorneys’ Offices in the Eastern District of Texas, the Eastern District of Arkansas, the Eastern District of Tennessee, the Middle District of Florida, and the Northern District of West Virginia. Also aiding in the investigation are the DOL-OIG; the Social Security Administration’s Office of Inspector General; the U.S. Department of Agriculture’s Office of Inspector General; U.S. Customs and Border Protection; the U.S. Postal Service; the U.S. Marshals Service; the West Virginia State Police; and numerous other state and local agencies.

It is important to note that an indictment should not be considered as evidence of guilt and that all persons charged with a crime are presumed innocent until proven guilty beyond a reasonable doubt.